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Out with the Old, In with the New: Youth-Led Approaches to Transitional Justice
from Tunisia

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Abstract

In response to the institutionalisation of the transitional justice field, and its predilection towards top-down approaches, it has been increasingly recognised that informal methods and marginalised groups can play important roles in catalysing a broader process of transitional justice. Nevertheless, the roles of young people in these processes have often been disregarded and dismissed by scholars and practitioners alike. Tunisia represents a critical case to test the idea that young people, specifically youth activists, might be seen as a resource in transitional justice processes. Young Tunisians have been hailed domestically and internationally as the revolutionaries that sparked a transition to democracy, yet in the transitional process, “youth” have been repeatedly classified as too politically disengaged and inexperienced to affect the processes of democratisation and transitional justice. These reductions of youth agency mirror the simplification of transitional justice to a process of legal and political contest and neglect the role that youth, as a marginalised community, might play in catalysing a process of transitional justice via less formal methods. Drawing from field research conducted in Tunisia from June to August 2019, this study finds that, as young Tunisians were marginalised from the official processes of transitional justice, they actively sought and offered alternative approaches that were critical to a much broader, societal project of pursuing transitional justice from the bottom up. Specifically exploring young activists’ command of the street and use of the arts, the paper sheds light on the value of informal methods in catalysing the process of truth-telling, demanding accountability, and the imagination of justice, as well as the important role of youth in orchestrating these alternative methods of justice-seeking that have been so critical to the fiercely contested transition in Tunisia.

Key words: transitional justice; youth; Tunisia; social change; peacebuilding; human rights.

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Introduction

Youth, Transitional Justice, and Tunisia

The counts of the indictment are luxury, bad manners, contempt for authority, disrespect to elders, and a love for chatter in place of exercise.

– Kenneth John Freeman.¹

Youth and Justice: A Nexus of Transitions?

These words from Kenneth John Freeman’s dissertation of 1907 were used to capture the extensive list of grievances of ancient Greek philosophers and schoolmasters towards the offending young students of the time.² Associations of youth with frivolity, ill temper, and disrespect are far from antiquated, but have been heard across civilisations and continue to prevail today. For Freeman’s reflection on ancient Greece, however, the counts of the indictment against youth do not appear in a vacuum; rather, these “Aristophanic diatribes” arose in response to a form of social change and transition away from “the old days”, “the old laws”, and, in the words of Aristophanes, “the good old style of education, in the days when Justice still prevailed”.³ The account illustrates that generational differences and their relation to social change have, rationally or irrationally, raised critical questions for societies over many centuries, and perhaps quite personally so for more elderly scholars. Such questions remain as relevant today as ever, not least in the context of scholarly deliberations on more modern concepts of ephebiphobia – the irrational fear of young people – and of democratisation, human rights, and transitional justice.⁴ Specifically,

¹ Kenneth John Freeman, Montague John Rendall (ed), *Schools of Hellas; an essay on the practice and theory of ancient Greek education from 600 to 300 B. C.* (London: Macmillan and co., 1907): p.74.

² Ibid.

³ Ibid, pp.72-74.

⁴ Kirk A. Astroth, “Beyond Ephebiphobia: Problem Adults or Problem Youths?” *The Phi Delta Kappan* 75, No. 5 (Jan., 1994): p. 412.

the opaque nature of scholarly and popular understandings of “youth”, coupled with theories of grassroots-led transitional justice from the bottom up, prompts this exploration of the role that can be played by young people in pursuing “justice” in transitional contexts.

Just as Freeman’s analysis on ancient Greek schoolmasters indicates that contempt for the young is far from a new phenomenon, so too have scholars shown that the idea of transitional justice has featured throughout human history.⁵ From the purges of ancient Athens to the trials at Nuremberg after the Second World War, societies have regularly sought to engineer transitions and grappled with histories of violence and abuse.⁶ Nevertheless, it was not until the late 1980s and the early 1990s that transitional justice became conceptualised as a distinct field of study and practice.⁷ Over the past four decades the field has expanded rapidly in its exploration of theories of best practice and their implementation.⁸ The field has witnessed the prominent rise in key institutions such as the International Criminal Court, the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Tribunal for Rwanda (ICTR), as well as the rise of nationally-mandated initiatives, such as truth commissions, as seen in Latin America and most famously in South Africa.⁹ In response to the institutionalisation of the transitional justice field, and its predilection towards top-down legal approaches to the questions of transition and “justice”, scholars have fostered important debates on the value of unofficial methods to pursuing justice in transition and the roles of communities at the grassroots level.¹⁰ Nevertheless, the

⁵ Jon Elster, *Closing the Books: Transitional Justice in Historical Perspective* (Cambridge: Cambridge University Press, 2004): pp.3-24; Paige Arthur, “How “Transitions” Reshaped Human Rights: A Conceptual History of Transitional Justice,” *Human Rights Quarterly*, 31, no.2 (May 2009): p.327.

⁶ Elster, pp.3-24.

⁷ Ruti G. Teitel, *Globalizing Transitional Justice* (Oxford: Oxford University Press, 2014): p.3.

⁸ Arthur, pp.321-367.

⁹ Teitel, *Globalizing Transitional Justice*, p.6.

¹⁰ Patricia Lundy and Mark McGovern, “Whose Justice? Rethinking Transitional Justice from the Bottom Up,” *Journal of Law and Society*, 35, no.2 (2008): pp. 265-292; David Backer, “Civil Society and Transitional Justice: Possibilities, Patterns and Prospects” *Journal of Human Rights* 2, no.3 (2003): pp. 297-313; Christine Bell and

specific focus on the roles of young people in these processes has remained widely neglected by scholars and practitioners alike.¹¹ Conceptions of youth as contemptuous, disrespectful, and idle continue to prevail, prompting the need to more meaningfully and thoroughly raise the question of the roles played by young people in contributing to processes of transitional justice.¹²

Despite the prominent concern with “youth gangs”, “youth delinquency”, and the “youth bulge” at the national and international levels, the social group has remained hard to define.¹³ Pierre Bourdieu’s useful contribution, succinctly titled “Youth’ is just a word”, to scholarly deliberations indicates that a definition may well be impossible and that “youth and age are not self-evident data but are socially constructed, in the struggle between the young and the old.”¹⁴ Such understandings of “youth” have not satisfied most policymakers, however, as institutions insist on numerical calculations of youth as it relates to age. Agencies of the United Nations (UN) define “youth” as the years between 15 and 24 years; the UN Security Council determines that “youth” is the years of 15 through 29 with the passing of resolution 2250 on Youth, Peace and Security; meanwhile, UN Habitat indicates that “youth” falls between the ages of 15 and 32.¹⁵ Such discrepancies only serve to highlight that numerical calculations cannot exclusively

Catherine O’Rourke, “Does Feminism Need a Theory of Transitional Justice? An Introductory Essay,” *International Journal of Transitional Justice* 1, no.1 (2007): pp.23-44.

¹¹ Scholars that note this include McEvoy-Levy, “Introduction: Youth and the Post-Accord Environment,” in Siobhan McEvoy-Levy (ed) *Troublemakers or Peacemakers? Youth and Post-Accord Peacebuilding* (Notre Dame, IN: University of Notre Dame Press, 2006): p.19; Caitlin Mollica, “The diversity of identity: youth participation at the Solomon Islands Truth and Reconciliation Commission,” *Australian Journal of International Affairs* 71, no.4 (2017): p.377.

¹² Reference made to the Aristophanic diatribes. Freeman, pp.72-74.

¹³ Siobhan McEvoy-Levy, “Introduction: Youth and the Post-Accord Environment,” p.3; Scholars such as Gunnar Heinsohn have been keen to draw connections between the “youth bulge” and instances of violence and social unrest. Gunnar Heinsohn, *Söhne und Weltmacht: Terror im Aufstieg und Fall der Nationen* [Sons and World Power: Terror in the Rise and Fall of Nations] (Berlin: Orell Fussli, 2006): pp.52-54.

¹⁴ Pierre Bourdieu, “‘Youth’ is just a word,” in *Sociology in Question* (Thousand Oaks, CA: Sage, 1993): p.95.

¹⁵ United Nations, ‘Report of the Advisory Committee for the International Youth Year,’ A/36/215, annex; UN Security Council, Security Council resolution 2250 (2015) [on youth, peace and security], 18 March 2016, S/RES/2250 (2015), available at: <https://www.refworld.org/docid/56ebfd654.html> [accessed 21 February 2019]; UN Habitat, “Urban Youth Fund,” <https://unhabitat.org/urban-initiatives/initiatives-programmes/urban-youth-fund/> [accessed 21 February 2019].

determine whether or not one sees oneself, or is seen by others, as “young”. Further to Bourdieu’s indication of a sense of social “struggle between the young and the old”, Alcinda Honwana has suggested that the experience of youth is one of “waithood” – a period of transition from childhood to adulthood and a more secure place in society.¹⁶ There is thus a critical interaction to be explored between a social group that may define itself by its own sense of struggle and transition within a wider societal process of transition towards justice.¹⁷

Of the world regions that is most consumed with the question of “youth” – what “youth” is, what young people want, and how young people behave – is the Middle East and North Africa (MENA) region, where youth population figures reach 65 percent.¹⁸ In light of rampant youth unemployment rates, a widespread sense of cultural difference among generations, and the popularity of conversations on Islamism and radicalism, young people in the region have most commonly become subjects of debates on “the youth challenge”, “the youth bulge”, and “youth radicalisation”.¹⁹ Despite leading many of the revolutionary protest movements of the “Arab Spring”, young people have remained categorised as a problem to be solved rather than those at the forefront of problem-solving. These narratives have even prevailed over much of the analysis surrounding the “success story” of the 2010-2011 Arab uprisings and the region’s so-called

¹⁶ Alcinda Honwana, *Youth and revolution in Tunisia*, (New York: Zed Books, 2013): p.12.

¹⁷ In light of the tendency to categorise *young people* as a single entity, this thesis does not utilise *youth* as a common noun, apart from when referencing others’ use of the term in this manner, in which case it appears as “youth”. Thus, this thesis does not refer to *youths*, but seeks to reorient discussions on “youth” as *young people* in order to direct conversation towards the multifaceted nature of this category of human beings. “Youth” will be used as an abstract noun to describe this period of life, and will thus appear in association with another noun, for example “youth activist”, “youth issue”, or “youth movement”, in order to describe the nature of that noun in its relation to “youth” as a social group *identity*.

¹⁸ Kristin Lord, “Here Come the Young,” *Foreign Policy*, 12 August 2016, available at <https://foreignpolicy.com/2016/08/12/here-comes-the-young-youth-bulge-demographics/> [accessed 21 July 2019];

¹⁹ Navtej Dhillon, “Middle East Youth Bulge: Challenge or Opportunity?”, *Brookings Institution*, 22 May 2008, available at <https://www.brookings.edu/on-the-record/middle-east-youth-bulge-challenge-or-opportunity/> [accessed 26 July 2019]; Mario Abou Zeid, Lars Erslev Andersen, Tobias Gemmerlie, Jorgen Ilim, Natascha Jensen, Lina Khatib, “Youth Radicalization and Security,” *Carnegie Middle East Center*, 19 March 2015, available at <https://carnegie-mec.org/2015/03/19/youth-radicalization-and-security-pub-59588> [accessed 5 September 2019].

“beacon of hope”, Tunisia.²⁰ Young Tunisians were credited with leading a revolution that removed President Zine al-Abidine Ben Ali from power and sought to establish a new Tunisian republic built on human rights after a period of post-colonial dictatorships; however, low youth voter turnout rates and few signs of formal political participation have led to the widespread conviction that young Tunisians are disengaged from and simply disinterested in the democratisation process.²¹

The same sentiments, if not more so, arise amongst the narratives surrounding young Tunisians’ interests in transitional justice. Following previous models from Latin America and South Africa, Tunisia set out a formal transitional justice process in 2013 to be spearheaded by a truth commission, the Truth and Dignity Commission (TDC), which has been, arguably, the leading subject of contention and discussion for practitioners and scholars.²² With a continued focus on a state-mandated process from the top down, theories of transitional justice from the bottom up and discussions on the roles of a range of marginalised communities have been widely neglected.²³ Marked by generational tensions before, during, and after the revolution, Tunisia nonetheless offers a uniquely important case study to explore the roles that can be played by young people in transitional justice. Furthermore, as a case that is setting legal, political, and social precedent in the MENA region and is providing another testing ground for the transitional justice

²⁰ Mark Goldberg, “How Tunisia Became the Only Real Arab Spring Success Story,” *Global Dispatches*, 26 October 2017, available at <http://www.globaldispatchespodcast.com/how-tunisia-became-the-only-real-arab-spring-success-story/> [accessed 25 April 2019]; Noha Aboueldahab, “Unrest in Tunisia: Another turning point in a legacy of economic injustice,” *Brookings Institution*, 29 January 2018, available at <https://www.brookings.edu/blog/order-from-chaos/2018/01/29/unrest-in-tunisia-another-turning-point-in-a-legacy-of-economic-injustice/> [accessed 25 April 2019].

²¹ Sarah Yerkes, “Where Have All the Revolutionaries Gone?” *Brookings Institution* (2007): p.45, available at https://www.brookings.edu/wp-content/uploads/2017/03/cmep_20160317_where_have_revolutionaries_gone.pdf [accessed 25 April 2019].

²² The TDC was mandated by the state with the passing of the Transitional Justice Law in 2013. See Republic of Tunisia, “Organic Law on Establishing and Organizing Transitional Justice,” via OHCHR, adopted 15 December 2013, p.1, available at <https://www.ohchr.org/Documents/Countries/TN/TransitionalJusticeTunisia.pdf> [accessed 5 September 2019].

²³ This will be discussed further in the following chapters.

field more broadly, the Tunisian experience provides another key testing ground for the evolution of transitional justice theories.²⁴

Theorising a Role for Youth Activism in Transitional Justice

Examining the Tunisian case within debates on transitional justice, this thesis serves to address the prevalent disregard towards the role played by young people in such processes. Considering specifically the efforts of Tunisian youth activists, the thesis addresses several interrelated questions: To what extent have young Tunisians, broadly, had a particular vision of “justice” in the transitional context? To what extent were young Tunisians involved in the formal transitional justice process? In what ways have youth activists mobilised in pursuit of their notions of justice? and How have those methods of mobilisation affected the pursuit of “justice” in the transitional context? The thesis argues that, as young people are marginalised from the official processes of transitional justice, they actively seek and offer alternative approaches that are critical to a much broader, societal project of pursuing transitional justice from the bottom up. From their experiences of marginalisation arise a distinct group youth interest in sweeping social change and a command of informal civic spaces and tools through which youth activists can re-imagine truth and justice and provide accessible ways for broader societal engagement with the concrete issues at the heart of transitional justice.

The analysis draws from qualitative data gathered through fourteen in-depth interviews on the subject of youth engagement with transitional justice, as well as broader ethnographic observations from field research conducted in Tunisia from June and July of 2019. Interviews were conducted mostly with “youth activists” – either currently identifying as “youth” or during

²⁴ Noha Aboueldahab, “Navigating the Storm: Civil Society and Ambiguous Transitions in Egypt, Libya and Tunisia,” in Jasmina Brankovic and Hugo van der Merwe (eds), *Advocating Transitional Justice in Africa: The Role of Civil Society* (New York: Springer, 2018): p.202.

previous periods of the transition – and with non-youth members of international and national civil society, as well as members of the official transitional justice process.²⁵ Cognisant of a general association of youth with masculinity and seeking to explore the intersectionality of youth activism, the study sought to balance the sample of interviews by gender, both among youth activists and in total.²⁶ The sample of interviews is limited in number but includes perspectives from a wide range of organisations and activist associations, with no two interviewees from the same civil society organisation. One interviewee is cited anonymously. Almost all interviewees were based in Tunis. Many interview subjects noted the centralisation of the national transitional justice process to the capital city, as well as the significance of Tunis for youth activism due to the size of the student population.²⁷ To gain broader insights into the questions of youth dynamics and youth agency, as individuals and as a group, and to cross reference the information of interviews, the study also involved ethnographic observations through informal conversations in everyday settings; observations and photographs of social dynamics and public spaces, particularly in relation to the streets and public art; as well as participation in a workshop that brought young Tunisians from across the country to discuss how young Tunisians are affecting and being affected by global change.²⁸ Though limited in scope, the interview sample and ethnographic observations shed important new light on the justice sought by young Tunisians in the transitional context of

²⁵ As will be further discussed, youth identity appears quite fluid and context-dependent, therefore the number of “youth” versus “non-youth” interviewees cannot be exactly calculated.

²⁶ Five of the ten activists most closely identifying with “youth” were women. For further information on association of youth with masculinity, see Erica Burman, “Innocents abroad: Western fantasies of childhood and the iconography of emergencies,” *Disasters* 18, no.3 (1994), p.244.

²⁷ Although many interviewees were based in Tunis but originally from southern and interior regions, the lack of representation of interviewees who are active in the marginalised interior regions of the country indicates a limit to the scope of the study.

²⁸ Columbia University’s Committee on Global Thought and the Columbia Global Centers, “Youth in a Changing World – Tunis” (workshop, Youth in a Changing World, Tunis, Tunisia, 23 June 2019).

recent years and the ways in which they have demonstrated a uniquely youthful agency in seeking to realise their visions of transitional justice.

To explore a relationship between youth activism and transitional justice, the first chapter of this thesis serves to trace the conceptual growth of the transitional justice field and to highlight the evolution of key scholarly theories and debates, including the academic literature on the concept of transitional justice from the bottom up and the capabilities of young people in the field of peacebuilding. The second chapter then sets the scene of the Tunisian case, describing the aftermath of the revolution and the situation of young people in this period. The chapter includes data collected from interviews on how young Tunisians conceptualise “youth” and envision “justice” in the transitional context. Drawing parallels between the Manich Msamah (“I Will Not Forgive”) campaign and other youth-led protest movements, the third chapter explores youth activists’ command of the street as an important civic space for truth-telling, justice-seeking, and the imagination of a changed society. In close connection, the fourth chapter examines the messages of youth street art and the work of an intergenerational unofficial truth project, Voices of Memory, indicating the ways in which young Tunisians have brought distinctly creative approaches to storytelling, truth-telling, and memory preservation. Finally, the conclusion revisits the main contributions of this thesis and positions the analysis of the Tunisian case amongst other cases of transitional justice in order to support the theory of youth activists’ importance in bottom-up transitional justice. More broadly, the conclusion serves to provide some critical areas for re-evaluation in the fields of youth and transitional justice and to indicate ways forward for further explorations of the unique roles young people can play in such complex processes of transitional justice.

Chapter One

A Youth Lens on Theories of Transitional Justice

...youths were often the instruments of oppression, acting as vicious thugs to influence the outcomes of elections and put down anti-government demonstrations. In times of transition, Sierra Leone's youth has always struggled to find its rightful place in society.

– Final Report of Sierra Leone's Truth and Reconciliation Commission.²⁹

[T]hose who grew up under conditions of violence will carry traces of their experiences into adulthood ... the period of struggle also nurtured resilience, wisdom, leadership and tolerance ... Many of these young people have become men and women of extraordinary calibre. Despite their suffering, they have shown extraordinary generosity and tolerance and have reached out to their former oppressors in a spirit of reconciliation.

– Final Report of South Africa's Truth and Reconciliation Commission.³⁰

The Rise of Transitional Justice Norms and Institutions

Promoting “transitional justice” as a “distinct conception of law and justice in the context of political transformation”, Ruti Teitel is often credited with coining the term in the 1990s.³¹ Alongside other pioneers in the field, the Argentinian human rights lawyer and scholar has since become a leading authority on the development of theories and best practices associated with the concept that, having been of an “exceptional and international” nature with the Nuremberg and Tokyo trials after the Second World War, became a modern “norm” with the transitions in Latin America and Eastern Europe in the 1980s and 1990s.³² In line with Teitel's hypothesis that, “[i]n modern political transformation, it is through *legal* practices that successor societies make

²⁹ Truth and Reconciliation Commission of Sierra Leone, *Witness to Truth: Report of the Sierra Leone Truth and Reconciliation Commission, Volume 3B* (Accra, Ghana: Graphic Packaging Ltd, 2004): p.343.

³⁰ South Africa, *Volume Four: Truth and Reconciliation Commission of South Africa Report* (Cape Town, 1999): pp. 278-279.

³¹ Ruti G. Teitel, *Transitional Justice* (Oxford: Oxford University Press, 1997): p.4.

³² Teitel, *Globalizing Transitional Justice*, p.4.

liberalizing political change”, the transitional justice field has since adopted a keen focus on institutional and judicial procedures to answer the question of how societies might grapple with histories of human rights violations and turn the page towards liberal democracy.³³ Alongside the institutional emergence of the ICC and the respective international criminal tribunals for the former Yugoslavia and Rwanda, “norms” of transitional justice, such as the right to the truth and the right to a remedy and reparation, have been further codified in international human rights law.³⁴ Through the Office of the High Commissioner for Human Rights, the UN has engaged on the subject of “transitional justice and the rule of law” since 2004, with the release of reports of the UN Secretary-General.³⁵ While “transitional justice” has, in theory and concept, retained a broad meaning – with a range of interpretations among scholars, practitioners, and local stakeholders – the field has repeatedly shown in practice a predisposition towards particular institutional models to lead official processes.³⁶

From Chile to South Africa and now Tunisia, truth commissions – often named truth and reconciliation commissions (TRCs) – have become arguably the most popular mechanism to reveal histories of human rights violations and to pave a way forward to a more just future,

³³ Teitel, *Transitional Justice*, p.221; Arthur, p.321.

³⁴ Teitel, *Globalizing Transitional Justice*, p.7; UN General Assembly, “Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law,” *UN General Assembly*, resolution 60/147, 16 December 2005, available at <https://www.ohchr.org/EN/ProfessionalInterest/Pages/RemedyAndReparation.aspx> [accessed 24 July 2019].

³⁵ The UN Secretary-General’s report defines “transitional justice” as “the full range of processes and mechanisms associated with a society’s attempts to come to terms with a legacy of large-scale past abuses, in order to ensure accountability, serve justice and achieve reconciliation. These may include both judicial and non-judicial mechanisms, with differing levels of international involvement (or none at all) and individual prosecutions, reparations, truth-seeking, institutional reform, vetting and dismissals, or a combination thereof.” United Nations Secretary-General, “The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies,” *United Nations Security Council S/2004/616*, 23 August 2004, available at <http://archive.ipu.org/splz-e/unga07/law.pdf> [accessed 24 July 2019].

³⁶ For Gready and Robins, “the mainstream definition of transitional justice has four pillars: criminal prosecutions, truth commissions, reparations and institutional reform” with a “focus on institutions, top-down state interventions and the law”. Paul Gready and Simon Robins, “Rethinking Civil Society and Transitional Justice: Lessons from Social Movements and ‘new’ Civil Society,” *The International Journal of Human Rights* (2017): p.956.

prompting many scholarly examinations into their efficacy.³⁷ Drawing from a diverse range of cases and experiences, Priscilla Hayner has outlined key challenges and limitations of truth and reconciliation commissions, emphasising that the truth-seeking bodies cannot replace trials; that expectations often exceed the achievements that are possible; and, critically, that *truth* and *reconciliation* may not necessarily be compatible objectives.³⁸ To encourage realistic understandings of what TRCs can achieve, Michael Ignatieff has warned: “all that a truth commission can achieve is to reduce the number of lies that can be circulated unchallenged in public discourse”.³⁹ These expressions of caution have evidently only become prevalent in certain circles, however, as truth commissions have remained a leading prescription for societies seeking to deal with the past, giving rise to the concern that “transitional justice” has become characterised by one-size-fits-all mechanisms and a set of top-down rules and procedures.⁴⁰

Theories of Transitional Justice from the Bottom Up

As legal-institutional approaches to transitional justice had themselves become the “norm”, and with limits to their success, scholars have theorised alternative means by which truth and justice might otherwise be pursued, particularly by ways that re-orient the focus towards the experiences and needs of victims.⁴¹ Presenting an important counter-argument to the prevalent logic of forgiveness – as embodied by the transitional justice and human rights icon, the chairman of the South African TRC, Desmond Tutu – Thomas Brudholm contends that “the preservation of outrage or resentment and the refusal to forgive and reconcile can be the reflex expression of a moral protest and ambition that might be as permissible and admirable as the posture of

³⁷ Lundy and McGovern, p.270.

³⁸ Priscilla Hayner, *Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions* (New York: Routledge, 2011): pp. 5-6.

³⁹ Michael Ignatieff, *The Warrior's Honor: Ethnic War and the Modern Conscience* (New York: Metropolitan Books, 1998): p.178.

⁴⁰ Lundy and McGovern, “Whose Justice? Rethinking Transitional Justice from the Bottom Up,” p.271.

⁴¹ Teitel, *Globalizing Transitional Justice*, p.4

forgiveness.”⁴² Instead of supporting the theory that forgiveness secures peace and reconciliation, Brudholm argues that the emotional testimony of resentment is integral to demanding justice after rights have been violated.⁴³ Also drawing lessons from the model South African process, Jill Stauffer warns that many existing transitional justice mechanisms not only fail to deliver justice, but also fail to meaningfully hear the truths felt by victims.⁴⁴ Stauffer presents “ethical loneliness” as a new discourse that changes the subject of transitional justice debates to focus on the experience of not just “dehumanization, oppression, and abandonment but also by the failure of just-minded people to hear well”.⁴⁵

Seeking to remedy the failures of official transitional justice mechanisms to give victims a sense of reclaimed rights, justice, or dignity, a wave of scholarship has sought to explore the merits of unofficial mechanisms under the broad theory of transitional justice “from the bottom up”.⁴⁶ Louis Bickford has argued that “Unofficial Truth Projects” have unique strengths and certain advantages over official TRCs, including ways that might be seen as preserving the right to hold onto resentment and address ethical loneliness.⁴⁷ Looking at projects across several continents, Bickford contends that community-level truth-telling allows “voices from below to be heard and heeded” and, that in comparison to formal truth commission, unofficial truth projects “may be more likely to establish a society-wide dialogue about the past”.⁴⁸ Informed by fieldwork in Northern Ireland, Anna Bryson has suggested that localised oral history projects can serve to ensure more victim- and voice-centred approaches to the pursuit of truth and justice in post-conflict

⁴² Thomas Brudholm, *Resentment's Virtue: Jean Amery and the Refusal to Forgive* (Philadelphia: Temple University Press, 2008): p.4.

⁴³ Brudholm, p.10.

⁴⁴ Jill Stauffer, *Ethical Loneliness: the Injustice of Not Being Heard* (New York: Columbia University Press, 2015): pp. 31-32.

⁴⁵ Ibid.

⁴⁶ See Lundy and McGovern.

⁴⁷ Louis Bickford, “Unofficial Truth Projects,” *Human Rights Quarterly* 29, No. 4 (Nov., 2007): p.995.

⁴⁸ Ibid.

environments.⁴⁹ Reflecting on the experience of Rwanda, a case popularly highlighted for its local-level *gacaca* courts as “traditional” methods of justice-making, Alexander Betts has argued that, for transitional justice to succeed, “it must be reoriented towards the community level rather than based on the abstractions of legal positivism disembedded from the contexts to which they are applied”.⁵⁰ The effectiveness of a process hinges on interpretations of legitimacy and fairness, Betts contends.⁵¹

While scholarship continues to be gripped by binary debates over which models of transitional justice – truth commissions or trials; internationally-led or nationally-led mechanisms; official or unofficial initiatives – are the most effective, it is important to consider that such mechanisms do not need to be mutually exclusive or contradictory.⁵² John Paul Lederach argues that transitions towards a “positive peace” are not generated by the either-or choices normally associated with transitional justice; rather, such transitions are “forged by the capacity to generate, mobilise, and build the moral imagination.”⁵³ A multifaceted concept that is readily applicable to theories of transitional justice and reconciliation, Lederach describes “the moral imagination” as requiring several disciplines, capacities, and approaches:

*The moral imagination requires the capacity to imagine ourselves in a web of relationships that includes our enemies: the ability to sustain a paradoxical curiosity that embraces complexity without reliance on dualistic polarity; the fundamental belief in and pursuit of the creative act; and the acceptance of the inherent risk of stepping into the mystery of the unknown that lies beyond the far too familiar landscape of violence.*⁵⁴

⁴⁹ Anna Bryson, “Victims, Violence, and Voice: Transitional Justice, Oral History, and Dealing with the Past,” *Hastings International and Comparative Law Review* 39, no.2 (2016): p.305.

⁵⁰ Alexander Betts, ‘Should Approaches to Post-conflict Justice and Reconciliation be Determined Globally, Nationally or Locally?’ *European Journal of Development Research* 17 (2005): p.749.

⁵¹ Ibid.

⁵² In the case of the Sierra Leone Memory Project, for example, Joseph Ben Kaifala has argued that unofficial truth and memory projects can serve to fill gaps and reveal new silences as extensions of truth commissions. Joseph Ben Kaifala, “Transitional Justice in Sierra Leone: Oral History, Human Rights, and Post-Conflict Reconciliation,” *Oral History Forum d’histoire orale* 34 (2014): p.8.

⁵³ John Paul Lederach, *The Moral Imagination: The Art and Soul of Building Peace* (Oxford: Oxford University Press, 2005): p.5

⁵⁴ Ibid, p.5.

In line with this idea of a new societal imagination of morality, Lederach has supported theories that inclusion is necessary for a “positive peace” to take hold and that transitional justice processes that engage larger sections of a society will be more effective than those that are limited and exclusive.⁵⁵

Further to the prevalence of the concept of the “moral imagination” in arts and literature, Lederach underscores the role of art and creativity in bottom-up transitional justice, describing the ways in which art “helps us return to our humanity, a transcendent journey that, like the moral imagination, can build a sense that we are, after all, a human community.”⁵⁶ As has been evidenced in Lebanon, for example, debates on a country’s past – including whether to forgive or forget – can be moulded by artistic and cultural production, such as films, music, novels, poetry, and even street art.⁵⁷ For Simon Robins and Paul Gready, scholarship should show greater recognition of such alternative initiatives and “evolve southward” with broader conceptions of civil society and its role in transitional justice.⁵⁸ In line with Lederach, Gready and Robins argue that a more inclusive conception of the roles of “civil society” can itself “help to deliver a transitional justice that is more diverse, more accessible, more vibrant and more locally relevant”.⁵⁹ In contrast to the top-down associations of “transitional justice”, they term this more inclusive concept “justice in transition”, defined as ““a broad social project and a condition in society”, and understood as an everyday verb, given meaning and made/ remade in the everyday lives of people living in societies emerging from conflict.”⁶⁰

⁵⁵ Ibid, p.122

⁵⁶ Ibid, p.154.

⁵⁷ Sune Haugbolle, “Dealing with Lebanon’s past: Remembering, reconciliation, art and activism,” *Accord*, 24 (June 2012): pp.15-16.

⁵⁸ Gready and Robins, p.971.

⁵⁹ Ibid.

⁶⁰ Ibid, p.957.

In light of these principle-based and practice-motivated directions for transitional justice to be more inclusive, scholars have sought to investigate the roles that could and should be played by those often most marginalised by formal processes, specifically women, children, and refugees.⁶¹ The need to engage local communities has been recognised at various institutional levels. In 2004, the UN Secretary-General singled out the “situation and role of women” and “the situation of children” (but not including the “*role* of children”) for greater attention going forward in work on the rule of law and transitional justice.⁶² While these directions have been encouraging, it has become apparent that scholars, practitioners, and leaders of the international community have continued to neglect and disparage a significant social community that has not been positioned within the human rights framework: youth.

Theorising Transitional Justice with a Youth Lens

A limited interest in the relationship between young people and transitional justice has emerged most visibly through two problematic and inter-connected sources, firstly, through a lens that conflates childhood and youth, and secondly, through a viewpoint that focuses on youth vulnerability to violent conflict. Looking at the role of children and youth in processes of transitional justice, Virginie Ladisch traces the inclusion of children’s perspectives in chapters of reports by the truth commissions in Guatemala and Peru; the hearings of adults working with children in South Africa; and then later as participants in hearings in Sierra Leone, Liberia, and Kenya.⁶³ As reflected by the epigraphs of this chapter from the final reports of the TRCs of South

⁶¹ See Backer, pp. 297–313; Bell and O’Rourke, pp.23–44; Huma Haider, “Transnational Transitional Justice and Reconciliation: The Participation of Conflict-Generated Diasporas in Addressing the Legacies of Mass Violence,” *Journal of Refugee Studies* 27, no.2 (2014): pp.207–233; Sharanjeet Parmar, Jane Roseman, Saudamini Siegrist, and Theo Sowa (eds), *Children and Transitional Justice* (Cambridge, MA: Harvard University Press, 2010).

⁶² UN Secretary General, “The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies”, p.6.

⁶³ Virginie Ladisch, “Children and youth participation in transitional justice processes,” *Journal of Childhood and Youth* 6, no.3 (2013): pp.503–513.

Africa and Sierra Leone, “youth” have either remained tied to associations with children and victimhood and praised for their “wisdom”, “tolerance”, and “forgiveness”, or they have been labelled as violent and “vicious thugs”, who have “struggled to find their rightful place in society”.⁶⁴ Clearly, young people continue to struggle to find a rightful and more just place in the transitional justice literature also.

Unsurprisingly, as a social group that is commonly branded as “disaffected”, “feckless”, and “out of control”, “youth” arise more commonly in literature on “peacebuilding” than under the header of “transitional justice”.⁶⁵ Underscoring that a “neglect of adolescents and older young people is shortsighted and counterproductive in terms of peace building”, Siobhan McEvoy-Levy has sought to direct greater attention towards the roles of young people as both “troublemakers” and as “peacemakers”.⁶⁶ Despite often failing to surpass the conflation of youth and children, scholarship has pointed to young people’s uniquely-placed positions to catalyse peace efforts through education, storytelling, activism, and community-based rituals of reconciliation.⁶⁷ In light of the fact that “[m]uch less has been written about youth peace builders than about youth soldiers”, scholarship has indicated that young people have a distinct peacebuilding potential “in their critical questioning of the status quo”; in their more natural “incentive to push for change”; as the frequent “vanguard of social movements”; and in their predilection towards storytelling and creative and collective culture building.⁶⁸ These characteristics of youth activism give rise to a hypothesis that

⁶⁴ Truth and Reconciliation Commission of Sierra Leone, p.343; South Africa, pp. 278-279.

⁶⁵ Richard Hill and Judith Bessant, “Spaced-out? Young people’s agency, resistance and public space,” *Urban Policy and Research*, 17, no.1 (1999): p.32.

⁶⁶ Siobhan McEvoy-Levy, “Youth as Social and Political Agents: Issues in Post-Settlement Peace Building”, *Kroc Institute Occasional Papers*, 21 (2001), pp.2-3; Siobhan McEvoy-Levy, “Introduction: Youth and the Post-Accord Environment,” pp.1-26.

⁶⁷ Siobhan McEvoy-Levy, “Conclusion: Youth and Post-Accord Peace Building,” in Siobhan McEvoy-Levy (ed) *Troublemakers or Peacemakers? Youth and Post-Accord Peacebuilding* (Notre Dame, IN: University of Notre Dame Press, 2006): p.287.

⁶⁸ Siobhan McEvoy-Levy, “Politics, Protest, and Local “Power Sharing” in North Belfast,” in *Troublemakers or Peacemakers? Youth and Post-Accord Peacebuilding* (Notre Dame, IN: University of Notre Dame Press, 2006):

youth activism might be a particularly force behind the “moral imagination” and a broader social project of “justice in transition”, yet scholarly analysis of the connection remains limited.⁶⁹

Of the few explorations of the role of young people in processes of transitional justice, Cailin Mollica has sought to combat the depictions of youth on either side of the victim-perpetrator binary and, drawing from the case of the Solomon Islands Truth and Reconciliation Commission, has presented an important contribution on the ways “youth have the capability to shape transitional justice in innovative and forward-looking ways”.⁷⁰ Nevertheless, with the limited scope of the study and its exclusive focus on the role of young people within the work of the truth commission, Mollica’s work should prompt further questions on the distinct abilities of youth transitional justice actors, both inside and outside of an official process.⁷¹

Positioned within these scholarly theories and re-conceptions of transitional justice bottom up, involving unofficial mechanisms and the inclusion of marginalised communities, this exploration of the Tunisian case builds on and contributes to the literature on the question of whether young people, specifically youth activists, pose unique capabilities that might help societies meet its objectives of transition and justice. In light of scholarship on the way in which “transitional justice” debates have so often excluded the recognition of certain mechanisms and communities, this thesis actively addresses preconceptions of both “transitional justice” and “youth”. As “youth” and “youths” are often ascribed particular characteristics, including associations with masculinity and as a homogenous group, this examination of youth agency takes

p.141; Jeff Helsing, with Namik Kirlic, Neil McMaster, and Nir Sonnenschein, “Young People’s Activism and the Transition to Peace: Bosnia, Northern Ireland, and Israel,” in *Troublemakers or Peacemakers? Youth and Post-Accord Peacebuilding* (Notre Dame, IN: University of Notre Dame Press, 2006): p.197; Jessica Senehi and Sean Byrne, “From Violence Toward Peace: the Role of Storytelling for Youth Healing and Political Empowerment after Social Conflict,” in *Troublemakers or Peacemakers? Youth and Post-Accord Peacebuilding* (Notre Dame, IN: University of Notre Dame Press, 2006): pp.236 and 252.

⁶⁹ Lederach, p.5; Gready and Robins, p.957.

⁷⁰ Mollica, p.372.

⁷¹ Ibid.

into active consideration a much-needed intersectional lens that transcends the prevailing single-axis analysis of “youth”, noting the intersection of gender and youth where relevant.⁷² Similarly, the thesis utilises a range of concepts – including signs of “ethical loneliness”, the display of “resentment”, the forces of “justice in transition”, and the pursuit of “the moral imagination” – to capture in a more accurate and balanced fashion the range of factors, sentiments, and experiences involved in a society-wide project of transitional justice.⁷³

⁷² On “intersectionality”, see Kimberlé Crenshaw, “Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics,” *The University of Chicago Legal Forum*, 8, no.1 (1989): pp.139-167; and Sumi Cho, Kimberlé Williams Crenshaw and Leslie McCall, “Toward a Field of Intersectionality Studies: Theory, Applications, and Praxis,” *Signs*, 38, no. 4 (Summer 2013): pp.785-810.

⁷³ Stauffer pp.31-32; Brudholm, p.4; Robbins and Gready, p.957; Lederach, *The Moral Imagination: The Art and Soul of Building Peace*, p.5.

Chapter Two

“Youth”, “Justice”, and “Transition”: The Case of Tunisia

Beware, for below the ash there is fire,
And he who grows thorns reaps wounds.
Look there, for I have harvested the heads of mankind
and the flowers of hope,
and I watered the heart of the earth with blood.

– Abu Al-Qasem Al-Shabi, “To The Tyrants of the World”.⁷⁴

From “Revolutionaries” to “Disillusioned”: A Narration of Two Youths

As a rallying cry that was heard across the MENA region during the “Arab Spring” protests of 2010 and 2011, the enduring expression of an early twentieth century Tunisian “to the tyrants of the world”, and a youthful promise of retribution and a new dawn for society, these sentiments of the young Tunisian poet Abu Al-Qasem Al-Shabi embody many of the ways in which Tunisia provides a uniquely important case for the questions of youth, justice, and transition.⁷⁵ As a country setting legal, political, and social precedent for the MENA region and one that is seen moving against the “global retreat from human rights”, what does Tunisia demonstrate with regards to the forces that support and undermine the pursuit of justice in transition?⁷⁶ As a process that has adopted the international model of a truth commission to lead a state-mandated effort, how does

⁷⁴ Abu El-Qasem Al-Shabi, “To The Tyrants of the World”, translated by Adel Iskandar. See Pierre Joris, Habib Tengour (eds), *Poems for the Millennium, Volume Four: The University of California Book of North African Literature* (University of California Press, January 2013): p.283.

⁷⁵ National Public Radio, “Tunisian Poet's Verses Inspire Arab Protesters,” 30 January 2013, available at <https://www.npr.org/2011/01/30/133354601/Tunisian-Poets-Verses-Inspire-Arab-Protesters> [accessed 30 July 2019].

⁷⁶ Office of the High Commissioner for Human Rights, “Taking on the past: the Tunisian Truth and Dignity Commission,” 9 June 2014, available at <https://www.ohchr.org/EN/NewsEvents/Pages/TakingOnThePast.aspx> [accessed 30 July 2019]; Colum Lynch, “U.N. Human Rights Chief to Leave, Citing ‘Appalling’ Climate for Advocacy,” *Foreign Policy*, 20 December 2017, available at <https://foreignpolicy.com/2017/12/20/u-n-human-rights-chief-to-leave-citing-appalling-climate-for-advocacy/> [accessed 30 July 2019].

the Tunisian experience test prevailing theories of transitional justice? As a revolution wherein young people played leading roles, how, if at all, has Tunisia's pursuit of justice in the transitional context been affected by the efforts of youth activists?

That "youth" were at the forefront of the revolution that ousted President Zine al-Abidine Ben Ali from power on 14 January 2011 has been recorded widely.⁷⁷ Statistics indicate that thirty five percent of the protestors were under the age of twenty four and that sixty percent were under thirty five.⁷⁸ Young people have not just been remembered amongst the crowds but also as the "trailblazers" of the revolutionary movement that was sparked by the self-immolation of Mohamed Bouazizi and spurred on by bloggers such as Lina Ben Mhenni (A Tunisian Girl).⁷⁹ In Tunisia, 14 January is now celebrated annually as "Revolution and Youth Day", whilst internationally, the role of young Tunisians in the "Arab Spring" has been recorded alongside other nation-defining histories of youth activism, from the civil rights activism in the United States to the anti-apartheid movement in South Africa.⁸⁰

While scholars, commentators and national politicians have bestowed common praise on the country's "youth" for their role in leading the revolution, the influence of young Tunisians in the aftermath has been remarkably quickly dismissed. Recounting the Tunisian experience of democratisation, Safwan Masri has written that "[a]lthough they, in many respects, led the

⁷⁷ Angelique Chrisafis and Ian Black, "Zine al-Abidine Ben Ali forced to flee Tunisia as protesters claim victory," *The Guardian*, 15 January 2011, available at <https://www.theguardian.com/world/2011/jan/14/tunisian-president-flees-country-protests> [accessed 30 July 2019].

⁷⁸ Safwan Masri, *Tunisia: An Arab Anomaly* (New York: Columbia University Press, 2017), p.42; Sarah Yerkes, "Where Have All the Revolutionaries Gone?" *Brookings Institution* (2007): p.27, available at https://www.brookings.edu/wp-content/uploads/2017/03/cmep_20160317_where_have_revolutionaries_gone.pdf [accessed 25 April 2019].

⁷⁹ Masri, p.44.

⁸⁰ Siyka Kovacheva, Boris Popivanov and Stanimir Kabaivanov, "Youth Policy in Arab Mediterranean Countries in A Comparative Perspective," *SAHWA*, Policy Report, 2017, p.16; Virginie Ladisch, "A Catalyst for Change: Engaging Youth in Transitional Justice," *International Center for Transitional Justice*, Briefing paper, April 2018, pp.1-2, available at <https://www.ictj.org/sites/default/files/ICTJ-Briefing-Youth-TJ-2018.pdf> [accessed 30 July 2019].

revolution, the youth were not organised nor united enough after the revolution to lead the political discourse or provide a viable alternative path for the transition.”⁸¹ Amidst the turbulent transition from the fall of Ben Ali in early 2011 to the country’s first free presidential election in 2014 – a period that saw power handed between four presidents and five prime ministers; two high-profile political assassinations; and attacks on tourist sites – Tunisian “youth” were quickly categorised as “the disillusioned”, “the disaffected” and “the disinterested” without the know-how or drive to generate the change they sought.⁸² Writing two years after the revolution, Nur Laiq captures the depreciation of young people’s value in the context of the transition with the conclusion in “Talking to Arab Youth” that “[w]hether they [youth] have the political savvy and the stamina to drive the transition processes and to fulfil the promises of the revolution remains to be seen”.⁸³ By reducing youth agency to a lack of “political savvy”, “stamina”, and unity, scholarship has all too often reflected widely held stereotypes on the inabilities of young people or “youth” as a single homogenous entity.⁸⁴ It is important to again underscore that, to avoid the broad generalisations on “youth”, this study explores the specific efforts of “youth activists” or “young activists” in relation to transitional justice and does not profess to examine how young people, in general, might engage with transitional justice.⁸⁵ As exemplified by Laiq and Masri, scholars and commentators

⁸¹ Masri, p.54.

⁸² Ibid; Mischa Benoit-Lavelle, “How Will Tunisia Respond to the Bardo Museum Attack?”, *The New Yorker*, 19 March 2015, available at <https://www.newyorker.com/news/news-desk/how-will-tunisia-respond-to-the-bardo-museum-attack> [accessed 1 August 2019]; Zouhir Gabsi, “Tunisia’s youth: awakened identity and challenges post-Arab Spring,” *British Journal of Middle Eastern Studies*, 46, no. 1 (2019): p.83.

⁸³ Nur Laiq, *Talking to Arab Youth: Revolution and Counterrevolution in Egypt and Tunisia* (New York: International Peace Institute, 2013): p.76.

⁸⁴ Ibid.

⁸⁵ Over a third of interviewees noted that there are young people and populations that either show little interest in the transitional justice process or have mobilised against the transitional justice process. Aymen Boughanmi, a young academic at Kairouan University, stressed that “some forces tried to use young people as a force against transitional justice.” Similarly, Mounir Saidani, a professor researching youth issues, said that there is an important distinction to be drawn between the many young people who are “not interested” in transitional justice and the young revolutionaries seeking social change. Aymen Boughanmi, interview with author, Tunis, Tunisia, 21 June 2019. Mounir Saidani, interview with author, Tunis, Tunisia, 2 July 2019.

regularly paint “youth” with a broad brush whilst focussing on political participation as the single measure of agency and neglecting the intricate questions of what it truly means to be “young” in a society, what young activists might want from a revolution or a transition, and how they might behave in pursuit of those objectives.⁸⁶ By using qualitative data from interviews with youth activists, this thesis addresses these questions as its starting point for the examination of youth agency in the even more complex social, political and legal contestations at the heart of “transitional justice”.

The Meanings of “Youth” from the Eyes of the Young

“From Hannibal to Mohamed Bouazizi...we have youth that made something good for this country”, said Bechir Jouini, a youth activist, emphasising in the interview that young Tunisians have regularly been pivotal leaders in times of conflict.⁸⁷ Further to Pierre Bourdieu’s understanding of youth as a population that is “socially constructed in the struggle between the young and the old”, interviews with youth activists reveal a particularly emphatic and timeless association of youth with forms of socio-political struggle.⁸⁸ While the majority of respondents made some reference to age-specific definitions of youth – often pointing to either a maximum age of 35 or 40 years old, to qualify as “young” – it was regularly indicated that these age-related definitions had been set by others, such as state institutions or by “international age norms”.⁸⁹ For youth activists, their own understandings of what it means to be “young” related most often to socio-political context, and frequently to the revolution and the pursuit of change as an issue of

⁸⁶ In “Talking to Arab Youth”, Laiq does explore youth identity in relation to activist youth movements, but still reflects the popular concentration on political participation as the single measure of agency. See Laiq, pp.4-5 and p.76.

⁸⁷ Professionally, Jouini is a translator and researcher on international relations. Bechir Jouini, interview by author, Tunis, Tunisia, 15 June 2019.

⁸⁸ Bourdieu, p.95.

⁸⁹ See Table 1, below.

generational struggle and a source of identity.⁹⁰ Reflecting a widely held sentiment among those who were active during the revolution, Youssef Cherif, a political analyst, explained that he felt himself to be “exactly the same person [as] in 2011, be it in age, in mind, in everything”.⁹¹ This sentiment supported the idea of a “generation” of younger revolutionaries, whose collective identity appeared to be built in opposition to an “old” state system, politicians, and “political ideologies”.⁹² Table 1, below, captures the main responses of ten respondents relating to the meaning of “youth” in Tunisia. Following a general pattern of sequenced responses in this way, the table reflects, firstly, any numerical age-related definition given; secondly, any caveats used with regard to that definition; and, thirdly, some of the most prominent sentiments used to describe the meaning of “youth” in Tunisia.⁹³

Table 1. Table on the meaning of “youth”, according to ten respondents

Respondent	Age-related definition	Caveat to age definition	Responses to the question of being "young" in Tunisia
1		No numbers mentioned.	"Youth, as a generation after 2011, were less bound by ideology"; "To be a young person is to want to fulfil yourself"; There is a "difference in values" between the generations; Being young is “connected with freedom”.
2	35	From perspective of Tunisian society	"Most of the youth in Tunisia make the relation between their own age and the revolution"; People talk about "the youth of the revolution".
3	35	Set by "international age norms"	"[T]hey are more optimistic than old people"; "Young people believe in change"; Being subject to "deception" and "exclusion"; "[Y]oung people were really disappointed" with a "president [who] is more than 90 years old" and older leaders, such as Rachid Ghannouchi.

⁹⁰ Ibid.

⁹¹ Youssef Cherif, interview by author, Tunisia, Tunisia, 30 July 2019. Cherif is head of Columbia Global Centers, Tunis. From 2011 to 2013, Cherif was part of the World Economic Forum’s “Global Shapers” – “a network of young people driving dialogue, action and change.” Global Shapers, “The power of youth in action,” available at <https://www.globalshapers.org/> [accessed 6 September 2019].

⁹² See Table 1.

⁹³ The table does not reflect all sentiments described, but reflects the clearest, most emphasised points made by respondents. The ten respondents do not all identify as “youth activists”; however, the ten responses reflected here are those most closely related at the time to “youth”, either recently or currently identifying as “young”, or working within a youth/youth-led organisation. Table generated from interview transcripts. Documents available with author.

4	18-40	Those not between 18-40 can still be "young"	"[W]e still have the critical eye"; "[W]e don't have huge responsibilities"; To be young is "to have the "freedom to not compromise"; "[W]e don't have stable jobs...that's damage"; [T]hat's the problem with this generation: everything is deceptive"; "Our depression is our war".
5		Mentioned that no-one in the "youth-led organisation" was over 40.	"...[I]t's a youth organisation because [it was] born after the revolution"; The state "was very purposefully stigmatising young people"; "I got the idea, and that was systematic, that I was a burden for the state."
6	Adolescence to 35-40-50	Each raised in relation to professional context	With regard to politics, "if you are less than 50 years old, you are young"; "[I]f you are talking generally about your real life... adolescence to 35, 40 years old".
7	35	Set by institutions	None described.
8		No numbers mentioned.	"Even [if] you are 45 years and you are not married, you are still young"; "it's social things"; "[Y]oung Tunisian people are so optimistic"; "[W]e are competent to take decisions and we won't let our country down".
9		No numbers mentioned.	"[A]s a young Tunisia... I haven't lived under dictatorship, actually I haven't been oppressed by the old regime, directly at least"; Younger activists care about "freedom of conscience", rather than freedom of religion.
10		No numbers mentioned.	"I still feel myself today in 2019 as exactly the same person as in 2011, be it in age, in mind, in everything"; After 2011 appears to me as a continuity of one thing".

The national sense of a Tunisian youth struggle against the state system is nothing new; rather, it is rooted in a history of socio-political and socio-economic marginalisation.⁹⁴ Student movements had mobilised in the 1970s, for example, under the slogan "educated or not, the future is not ours".⁹⁵ They were met with systematic torture, arbitrary arrest, censorship, and harassment.⁹⁶ In the decade leading up to the removal of Ben Ali, unemployment had reached around fourteen percent on aggregate, but around thirty percent for young Tunisians, and at the

⁹⁴ Larbi Sadiki, "Regional development in Tunisia: The consequences of multiple marginalization," Brookings Institution, 14 January 2019, available at <https://www.brookings.edu/research/regional-development-in-tunisia-the-consequences-of-multiple-marginalization/> [accessed 1 August 2019]; The World Bank Group, *Tunisia: Breaking The Barriers to Youth Inclusion* (Washington DC: The World Bank Group, 2014): p. xiv.

⁹⁵ Masri, pp.23-24.

⁹⁶ Ibid.

close of 2010, unemployment had reached fifty percent for those holding technical degrees and master's degrees.⁹⁷ In line with this history of abuse and hardship, interviews from this study reflected a number of perceptions of the systematic marginalisation, stigmatisation, and exclusion of young people.⁹⁸ Discussing young Tunisians' sense of place in society, Nesrine Jelalia, Executive Director of the youth-led watchdog organisation Al Bawsala, said: "We have been living under dictatorship that was very purposefully stigmatising young people. I remember when I was an adolescent under the Ben Ali regime, I got the idea, and that was systemic, that I was a burden for the state."⁹⁹ Heythem Guesmi, a young activist and campaigner, described the "deception" at the heart of young people not being able to find steady work, noting the "damage" caused by unreliable access to a range of foods.¹⁰⁰ "[W]e were raised by people who had hope and we didn't find that hope", he said, indicating that a feeling of "depression" arose from this sense of generational inequality.¹⁰¹ The vulnerability of young people to economic hardship, specifically, arose as a prominent theme across interviews and in ethnographic observations.¹⁰² Their experiences are not unique as young Tunisians. According to the Independent Progress Study on Youth, Peace and Security, there is a global trend of youth exclusion and marginalisation – "a form of structural and psychological violence that is deeply rooted in the reciprocal mistrust between young people, their governments and the multilateral system."¹⁰³

⁹⁷ Masri, p.34.

⁹⁸ See Table 1, respondents 3, 4, and 5.

⁹⁹ Nesrine Jelalia, interview with author, Tunis, Tunisia, 19 June 2019.

¹⁰⁰ Guesmi is also a leading member of the Manich Msamah ("I Will Not Forgive") campaign, which will be discussed further, and has also worked with a number of NGOs, including the Tunisian Forum for Social and Economic Rights. Heythem Guesmi, interview with author, Tunis, Tunisia, 18 June 2019.

¹⁰¹ Ibid.

¹⁰² See Table 1. Economic issues, such as unemployment and the sense of a "brain drain" caused by the mass flight of educated young Tunisians arose as prominent themes during the "Youth in a Changing World – Tunis" workshop. For more information on youth exclusion from the economic sector, see The World Bank Group, *Tunisia: Breaking The Barriers to Youth Inclusion*, pp. 37-57.

¹⁰³ Graeme Simpson, "The missing peace: independent progress study on youth and peace and security," *Youth4Peace Global Knowledge Portal* (2018) available at <https://www.youth4peace.info/ProgressStudy> [accessed 2 August 2019].

Nevertheless, this sense of exclusion did not *define* what it meant to be a “young” Tunisian as experiences of marginalisation also brought about certain unique attributes and characteristics that underpin *youth* activism, according to many interviewees. A number of youth activists underscored a sense of “freedom” resulting from their lack of confinement to the social, political, and economic centre ground.¹⁰⁴ In response to questions on what it means to be young, Khalil Arbi, a youth and civil society activist, focused on the unique ways young people freely express their desires for self-fulfilment, underscoring that the “spirit of youth is in this [sense of] freedom”.¹⁰⁵ Similarly, Heythem Guesmi explained that being young involved not having work-related or financial responsibilities and, therefore, that youthfulness had at its core “the freedom and the privilege to not compromise”.¹⁰⁶ In a workshop discussion on what it means to be “young”, featuring a noticeably younger group of Tunisians, being young was expressed as feelings of ambition, hope, innovation, and open-mindedness.¹⁰⁷ Unsurprisingly, these socially, economically, and politically constructed understandings of “youth” have direct implications for young activists’ expectations for the pursuit of “justice” and “transition”.

Transitional “Justice” from the Eyes of Youth Activists

Interviews and ethnographic observations of group settings indicated that young Tunisians and youth activists unite behind the pursuit of systemic “change”. Further to signs of a youth identity built on feelings of “deception”, a longing for “freedom”, and an intimate connection to (the) “revolution”, the goal of “change” arose as a prominent and multidimensional theme in responses to questions on the transitional “justice” sought by young Tunisians.¹⁰⁸ From “post-

¹⁰⁴ See Table 1, respondents 1, 4, and 9.

¹⁰⁵ Khalil Arbi, interview with author, Tunisia, Tunisia, 15 June 2019. Arbi is a young academic and has previously worked in national civil society.

¹⁰⁶ Heythem Guesmi, interview with author.

¹⁰⁷ “Youth in a Changing World – Tunis” workshop.

¹⁰⁸ See Figure 1.

revolutionary institutions” and the “penal code” to “politics and thought” and “mentalities”, youth-identifying and youth-oriented activists raised “change” in relation to a range of social, political, economic, and cultural issues.¹⁰⁹ The pursuit of “change” appears as a systematic project and process, and one that is fundamental to youth activists’ notions of transition and justice. It is not the merely pursuit of a finite objective, such as the reverse of the current situation, rather it involves an embrace of “change” as a continual openness to new and different approaches to problem-solving. A participant in a youth workshop on young Tunisians’ engagement with the rapidly changing world described a belief that “change is the only stable factor”.¹¹⁰ This keen embrace of “change” seems to arise in direct relation to young people’s sense of identity and opposition to formal, hierarchical structures. Mounir Saidani, an academic specialising on issues of youth, recounted his own interactions with young Tunisians who, he said, regularly tell him “We are fed up. We want change and we want to be free from all forms of authority,” including that of the state, of elders, and, from his own experience, teachers.¹¹¹ Interviews and ethnographic observations indicate that the desire for “change” is not simply oppositional, but is also developed through uniquely close sense of connection to the outside world, particularly because of new, internationally accessible media.¹¹² Responding to the question of how young people see “justice”, Hela Boujneh, a youth and transitional justice activist, said:

young people believe in change; they are more open to what [has] happened in other countries; they know there are other models; there is a better life if you get out of Tunisia;

¹⁰⁹ Guesmi; Jelalia; Arbi; interviews with author. Khayem Chemli, interview with author, Tunis, Tunisia, 21 June 2019. Of the ten activists most closely relating to “youth”, seven clearly raised “change” as an objective sought by young Tunisians. Calculation generated from transcripts. Documents available with author.

¹¹⁰ The embrace of, and longing for, change arose prominently in the workshop on “Youth in a Changing World – Tunis”.

¹¹¹ Mounir Saidani, interview with author.

¹¹² “We were seeing that in [another] world, through social media, there were other young people living different lives”, said Emna Sammari in an interview. Sammari, interview with author, Tunis, Tunisia, 15 July 2019.

*they are more aware about technology, about modern ways of governance, and they want some change... they don't call it transitional justice.*¹¹³

As a non-homogenous demographic group with a variety of experiences of injustice along multiple intersections of gender, class, religion, ethnicity and more, “justice” can vary widely among young Tunisians. In response to questions on the types of “justice” sought by young Tunisians, more than one third of interviewees pointed to the central slogans of the revolution, such as “work, freedom, and national dignity”, alongside demands for bread and water.¹¹⁴ Demands for basic social and economic rights were thus at the forefront of the revolution and the pursuit of “dignity” for young Tunisians, according to many respondents.¹¹⁵ Nevertheless, it is important to underscore that youth activists’ pursuit of “change” transcended conventional, compartmentalised human rights discourse and the dichotomy of social and economic rights and civil and political rights.¹¹⁶ In this regard, Khalil Arbi recounted the process of youth philosophy “on the *idea* of change”.¹¹⁷ “It was clear for our generation that the idea of social and economic justice was the spark of the movement,” but on the question of how to realise it, Arbi said that young people sought “change in politics and thought”, raising the specific issues of corruption, censorship, and greater civil freedoms.¹¹⁸

¹¹³ Boujne, interview with author, Skype interview, 16 June 2019. Boujne is a leading activist in the field of youth and transitional justice and administers the Facebook group “Jeunes & Justice Transitionnelle / Tunisie” [“Youth & Transitional Justice / Tunisia”]. She was also a participant in Tunisia’s National Dialogue on Transitional Justice serving as a regional coordinator for the Sahel transitional justice sectorial commission.

¹¹⁴ Sarah Yerkes and Zeineb Ben Yahmed, “Tunisians’ Revolutionary Goals Remain Unfulfilled,” *Carnegie Endowment*, 6 December 2018, available at <https://carnegieendowment.org/2018/12/06/tunisians-revolutionary-goals-remain-unfulfilled-pub-77894> [accessed 1 August 2019]. Data generated from interview transcripts. Documents available with author.

¹¹⁵ “Dignity” was described in relation to employment for one interviewee, and in relation to “confidence in the country” for another. Salwa El Gantri, interview with author, Tunis, Tunisia, 14 June 2019. Elyes Ben Sedrine, interview with author, Tunis, Tunisia, 18 June 2019.

¹¹⁶ For further analysis on the interdependence and interrelatedness of economic, social and cultural rights and civil and political rights, see Ioana Cismas, “The Intersection of Economic, Social and Cultural Rights and Civil and Political Rights,” in: Eibe Riedel, Gilles Giacca and Christophe Golay (eds.), *Economic, Social and Cultural Rights in International Law* (Oxford Scholarship Online: May 2014), pp.448-472.

¹¹⁷ Arbi, interview with author.

¹¹⁸ Ibid.

In connection with the pursuit of systemic change, several youth activists further emphasised that the pursuit of accountability, the fight against impunity, and anti-corruption were particularly noticeable “youth” issues in Tunisia.¹¹⁹ For example, the non-governmental organisations leading civil society’s work on these issues – I-Watch with regards to anti-corruption and Al Bawsala on the subject of parliamentary oversight – are distinctly youthful organisations that arose after the revolution.¹²⁰ “[T]he perception for most Tunisian youth is that politics equals corruption”, said Youssef Cherif, explaining young, politically active Tunisians’ distance from roles in governance.¹²¹ While youth-led non-governmental organisations (NGOs) and youth activists working on transitional justice express the need for change and accountability in a resolute manner, “retribution” did not feature as a form of justice for interviewees, as is claimed by the political, financial, and media forces opposed to transitional justice.¹²² Two young activists interviewed explicitly stated that their ultimate vision of “justice” was a sequenced process of firstly, ensuring the acknowledgment for past crimes, secondly, for perpetrators to deliver a meaningful apology, and finally, for “reconciliation” as the ultimate outcome.¹²³ Similar notions were expressed by another interviewee in support of a youth-led campaign for “no reconciliation without accountability”.¹²⁴ A member of the younger generation of Ennahda – the political group most accused of seeking “retribution” and excessive financial redress – said that “transitional

¹¹⁹ Reflecting on his interactions with young people in Tunisia, Masri writes that he was regularly asked by young Tunisians to write about corruption. Masri, p.76.

¹²⁰ Sarah McLewin Kincaid, “Exploring Collaborative Civic Leadership Among Young Tunisians: Inviting Despair, Creating Hope,” *Digest of Middle East Studies* 26, no.1 (2017): p.30.

¹²¹ Cherif, interview with author.

¹²² Interviews, media articles, and political debates on transitional justice regularly raise the claim that the Tunisian transitional justice process is focused on “revenge” and “retribution”. One interviewee explained that media and politicians claimed this was *adala intiqamiya* (“retributive justice”) rather than *adala intiqaliya* (“transitional justice”). Guesmi, interview with author.

¹²³ Jouni, interview with author; Anonymous interviewee, interview with author, Tunis, Tunisia, 21 June 2019.

¹²⁴ Slogan is from the Manich Msamah (“I Will Not Forgive”) campaign, which is discussed in further detail in chapter three. Hiba Ben Haj Khalifa, interview with author, Tunis, Tunisia, 4 July 2019.

justice... has to enable people to reconcile... perpetrators and victims are in the same place, recognise what happened in this black history, and can move forward.”¹²⁵ More broadly, more than forty percent of respondents – across positions as youth activists, civil society, and those directly involved with the formal transitional justice process – raised “reconciliation” as a primary objective of any transitional justice process.¹²⁶

The Introduction of Transitional Justice to Tunisia

After the fall of Ben Ali in January 2011, transitional justice-like processes arose almost instantly amidst the revolutionary fervour. A Commission on Crimes and Abuses Committed During the Revolution explored the period between revolutionary events of December 2010 to the first free elections in 2011; an Inquiry Commission on Corruption And Embezzlement sought to reveal the truth on these key issues and transmit information to tribunals; and a Commission for Political Reform was formed to oversee legal and constitutional reforms.¹²⁷ After the completion of a National Dialogue on Transitional Justice, a formal state-led process was laid out in the Transitional Justice Law of 2013.¹²⁸ While this study did not limit its examination of youth agency with respect to realising the “transitional justice” defined by the state-defined process, the law gives a clear indication of the international model adopted by the state and the expectations it was setting for the national society. Article 1 of the law outlines the aim of the process to:

understand and deal with past human rights violations by revealing their truths, and holding those responsible accountable, providing reparations for the victims and restituting them in order to achieve national reconciliation, preserve and document the collective memory, guarantee the nonrecurrence of such violations and transition from an

¹²⁵ Anonymous interviewee, interview with author.

¹²⁶ Calculation generated from interview transcripts; available with author.

¹²⁷ Kora Andrieu, “Confronting the Dictatorial Past in Tunisia: Human Rights and the Politics of Victimhood in Transitional Justice Discourses Since 2011,” *Human Rights Quarterly*, 38, no.2 (May 2016): pp.269-271.

¹²⁸ Mariam Salehi, “Droits de l’homme, bien sur: human rights and transitional justice in Tunisia,” in Kurt Mills and Melissa Labonte (eds), *Accessing and Implementing Human Rights and Justice* (Oxford: Routledge, 2019): p.140.

*authoritarian state to a democratic system which contributes to consolidating the system of human rights.*¹²⁹

The task of spearheading this ambitious task, specifically with the mandate of investigating and reporting on past rights violations, providing recommendations for reforms, and issuing reparations, fell to the Truth and Dignity Commission (TDC) which operated from 2014 until 2019.¹³⁰ Additionally, central parts of the process were to include a Fund for the Dignity and Rehabilitation of Victims of Tyranny and the Specialised Criminal Chambers, which are mandated to adjudicate gross violations of human rights.¹³¹

As scholarship has begun to emerge on the transitional process thus far, it is clear to see the prevalence of popular and scholarly curiosity towards the *political* nature of the process. In response to the political obstacles that have arisen to the transitional justice process – including amnesty bills for corrupt businessmen and public officials, attempts to draw an early conclusion to the work of the TDC, and political campaigns to forget the past and squarely look forward – political analysts, scholars and even members of the TDC have expressed astonishment at the difficulty of the task, leading many to believe that the Tunisian case has been uniquely challenging as a transitional process.¹³² In the words of the head of the TDC, Sihem Ben Sedrine, a figure who has come under intense scrutiny for her managerial role in the process, for “truth commissions around the world, the state is on their side. We are maybe the one case where the state is going against us.”¹³³ In short, practitioners appear to have assumed that, in Tunisia, a “transition” had been secured and “justice” simply required implementation. Kora Andrieu, a UN expert working

¹²⁹ Republic of Tunisia, “Organic Law on Establishing and Organizing Transitional Justice,” p.1.

¹³⁰ Ibid, pp.8-10.

¹³¹ Ibid, articles 41 and 8. The chambers are often called the “Specialised Criminal Chambers,” but are translated in the law as “Specialised Judicial Chambers.”

¹³² Chris Stephens, “Attacks by 'deep state' leave Tunisia truth commission in crisis,” *The Guardian*, 11 September 2015, <https://www.theguardian.com/world/2015/sep/11/attacks-state-tunisia-truth-commission-crisis-democracy> [accessed 31 July 2019]; Andrieu, p.273.

¹³³ Stephens.

on transitional justice in Tunisia and a scholar on the subject, has reflected on this common mistake in the field and has used the Tunisian case to encourage scholars and practitioners to reconsider transitional justice as “a much more complex political struggle”.¹³⁴ Upon review of interviews with members of civil society and a member of the TDC, however, it is clear to see that the struggle for transitional justice does not seem limited to its political nature, but also spans much more broadly into a social, economic, and cultural contest.¹³⁵ Ultimately, the prevailing analysis on the difficulties faced by the institutionally-centralised, legally-focused, and politically-dependent process reflect the disregard shown to previous literature on the importance of transitional justice from the bottom up. As has been discussed, the pursuit of justice in transition is far more than a legal challenge and a “political struggle”; rather, in the eyes of Tunisian youth activists at least, it involves social forces, changes in popular thought, and a grassroots movement towards a new moral imagination.¹³⁶ A focus on the perspectives of marginalised communities, in this case youth, towards the process demonstrates the limitations of the top-down process only too clearly.

The Introduction of Transitional Justice: Through a Youth Lens

Interviews with local activists revealed that the concept of “transitional justice” had been widely unknown in Tunisia, even amongst those at the forefront of youth engagement with the process. Hela Boujneh, recalled that the concept was brought in by the UN Development Programme and the Office of the UN High Commissioner for Human Rights.¹³⁷ Youssef Cherif meanwhile remembered the concept coming to the country with the return of exiled Tunisians.¹³⁸

¹³⁴ Andrieu, p.292.

¹³⁵ In discussions on the Tunisian “transitional justice” process, the most prominent themes were the political, legal, and institutional dynamics, but most often in terms of civil society’s frustrations and disappointments. Calculated from interview transcripts; available with author.

¹³⁶ Andrieu, p.292.

¹³⁷ Boujneh, interview with author.

¹³⁸ Cherif, interview with author.

Of previous cases that were discussed in deliberations on the method of pursuing “transitional justice”, interviewees regularly indicated that the South African process and its TRC were promoted as the model for Tunisia to follow.¹³⁹ Moreover, according to Emna Sammari, the only youth member in the national committee tasked with drafting the transitional justice law and now serving as an expert for UNDP helping to train the judges for the Specialised Criminal Chambers, unofficial mechanisms did not feature in the dialogue and debates on how the transitional justice process could take shape.¹⁴⁰

The top-down nature of the process is clearly reflected by the design of the Transitional Justice Law and by scholarship on the political nature of the process, but was detailed quite emphatically by young activists.¹⁴¹ The most prominent themes raised by the interview data on the subject of “transitional justice” related to the political dynamics, legal issues, and the role of political parties.¹⁴² While the *political* nature of the process was a common theme throughout interviews, a number of respondents specified that the process was particularly “technical” and questioned the role of external forces, including international donors and the UN.¹⁴³ Hela Boujneh, who campaigned for youth inclusion, explained that the process remained inaccessible to young people, particularly for those in neglected non-coastal areas of the country.¹⁴⁴ In response to a condition that set thirty five years of age as the minimum to be considered as a candidate for the TDC – a condition of other national institutions also – Boujneh led a campaign to have the condition removed but only succeeded in so far as reducing the condition to thirty years of age.

¹³⁹ This was indicated by three interviewees. Sammari; Cherif; and Anonymous, interviews, with author.

¹⁴⁰ Emna Sammari, interview with author, Tunis, Tunisia, 15 July 2019.

¹⁴¹ Republic of Tunisia, “Organic Law on Establishing and Organizing Transitional Justice”; Andrieu; Masri, pp.77-78.

¹⁴² Themes drawn from the transcripts. Data available with author.

¹⁴³ Ibid.

¹⁴⁴ Boujneh, interview with author.

“Youth were excluded by law by different institutions” during the transitional period, she emphasised at the outset of the interview.¹⁴⁵

The degree of youth marginalisation from the transitional justice process was contested by a member of the truth commission in an interview. Elyes Ben Sedrine, Deputy Director of Investigations for the TDC, emphasised that the TDC specifically sought out young graduates as officers for the commission to serve in testimony collection and recording, prioritising young women.¹⁴⁶ Ben Sedrine noted that eighty percent of the TDC’s workforce were young people under twenty eight years of age.¹⁴⁷ While the quantitative involvement in this regard is encouraging and merits mention in order to underscore young people’s equal technical abilities, the role of young people as administrators does not adequately capture the degree to which young activists might be agents of the systemic change they seek.

In light of indications of the top-down nature of the transitional justice process, the youth interest in systemic change, and a continued sense of youth marginalisation across Tunisia’s transitional projects, a specific focus on the role of youth activism provides a lens into a broader, more inclusive pursuit of what Gready and Robins’ call “justice in transition”.¹⁴⁸ On the question of whether youth activists are contributing to the project of transitional justice – involving the pursuit of truth, accountability, dignity, reconciliation, the preservation of memory, and guarantees of non-recurrence amidst a broader transition towards human rights and democratic governance – interviews indicated that disengagement from formal political participation did not mean that young people are disengaged from a larger societal project of “justice in transition” and systemic change. Overall, youth activists widely sought “alternatives” to the formal political and

¹⁴⁵ Ibid.

¹⁴⁶ Elyes Ben Sedrine, interview with author, Tunis, Tunisia, 18 June 2019.

¹⁴⁷ Ibid.

¹⁴⁸ Gready and Robins, p.957.

institutional means of achieving change and looked to support transitional justice from the bottom up.¹⁴⁹ These alternative methods have formed an essential part of the process, particularly in light of the difficulties faced by the official process and the belief that the TDC had, perhaps, not effectively engaged society on the truths it sought to establish. Speaking just months after the TDC presented its final report, Youssef Cherif, said “I’m sure many people have already forgotten about the work of the IVD”, using the French acronym for the Commission.¹⁵⁰ Similarly, Hiba Ben Haj Khalifa, a youth activist involved with numerous informal transitional justice processes, supposed that “maybe one percent of Tunisians have read the report of the truth commission.”¹⁵¹ “[T]here were other ways to send a message to Tunisians that something may change”, she noted.¹⁵² Discussing the response to government efforts to undermine the formal transitional justice process, Khalil Arbi emphasised that “young people realised that they had the ability to build an alternative movement” to defeat it and defend the goals of the transitional justice process.¹⁵³ In terms of the specific types of alternative, informal civic spaces occupied and tools used by young people, interviews with both youth and non-youth activists revealed an intuitive association between youth and the streets as a space for protest and between youth and artistic media as a tool of expression – two areas of informal activism that have been crucial to gains in the pursuit of transitional justice from the bottom up.¹⁵⁴

¹⁴⁹ “Alternatives” to mainstream processes were raised most explicitly by Arbi, Guesmi, and Ben Haj Khalifa.

¹⁵⁰ Cherif, interview with author.

¹⁵¹ Hiba Ben Haj Khalifa, interview with author.

¹⁵² Ibid.

¹⁵³ Arbi, interview with author.

¹⁵⁴ Over three quarters of respondents raised “the street(s)” as a space of protest. More than one third of interviewees indicated that social change was being generated from the street level, either raising bottom-up “change”, “justice”, or the street as the space of a “revolutionary process”. Over forty percent of respondents raised “art”, and often “culture”, as an important part of activism and as a form of expression in post-revolutionary Tunisia. Figures generated from transcripts; available with author.

Chapter Three

Youth-Led Transitional Justice: From the Street Up

“[T]he streets...they give you the raw truth, the whole truth, nothing but the truth.”

– Heythem Guesmi.¹⁵⁵

The State, Civil Society, and the Streets

Over the course of Tunisia’s heavily contested transition, the nature of the “post-revolutionary” state has been regularly called into question. The continuation of the democratic transition has been widely and enthusiastically credited to the country’s prominent and active civil society.¹⁵⁶ In recognition of civil society’s role facilitating dialogue and compromise amidst grave political impasses and even threats of civil war, a Tunisian civil society coalition known as the National Dialogue Quartet was awarded the 2015 Nobel Peace Prize.¹⁵⁷ As well-deserved as such praise may be, the keen focus on the country’s “civil society” as a single bloc has failed to capture the diversity of the non-state actors engaged in the democratic transition.¹⁵⁸ NGOs have regularly come together as part of a coalition on transitional justice, but, as noted in interviews conducted for this study, civil society organisations have been frequently distanced from one another by virtue of their various agendas.¹⁵⁹ Nesrine Jelalia of the NGO Al Bawsala, noted that the civil society

¹⁵⁵ Guesmi, interview with author.

¹⁵⁶ Masri pp. xxvi, 15, 42-51, 67.

¹⁵⁷ The Quartet was composed of four civil society groups: the Tunisian General Labour Union (UGTT), the Tunisian Confederation of Industry, Trade and Handicrafts, the Tunisian Human Rights League, and the Tunisian Order of Lawyers. The Norwegian Nobel Committee, “The Nobel Peace Prize for 2015,” The Nobel Prize, 10 October 2015, available at <https://www.nobelprize.org/prizes/peace/2015/press-release/> [accessed 6 August 2019].

¹⁵⁸ Ibid; Masri pp. xxvi, 15, 42-51, 67. With regard to the frequent reduction of “civil society” to NGOs in the context of transitional justice, see Gready and Robins, p.956.

¹⁵⁹ Avocats Sans Frontières (ASF) has coordinated a civil society coalition on transitional justice which has been active throughout the formal transitional justice process. Chemli, interview with author. For more on civil society’s role in the context of setting the agenda of the transitional justice process, including the role of ASF, see Noha Aboueldahab, “Navigating the Storm: Civil Society and Ambiguous Transitions in Egypt, Libya and Tunisia.” in Jasmina Brankovic and Hugo van der Merwe (eds), *Advocating Transitional Justice in Africa: The Role of Civil Society* (New York: Springer, 2018): pp.183-184.

space on transitional justice had been “very divided” and expressed concern that “civil society has not been able to diagnose and to rally against the one threat that they have – that transitional justice just gets discarded.”¹⁶⁰ Nevertheless, as “justice” and visions of “change” encountered grave dangers, Tunisia was fortunate to not be solely reliant on legal institutions, or a rigid vision of “civil society”. Rather, another socio-political arena that is not typically raised in scholarly debates on transitional justice has proven itself a decisive factor in the contest over both the state-led process and a societal process of transitional justice from the bottom up – the streets.

“[T]he situation in Tunisia is like [this]: we have the state, we have civil society entities and organisations... and we have the street,” explained Heythem Guesmi.¹⁶¹ In the context of the conflict over notions of “justice” and the direction of the transition, “the street” was raised by more than three quarters of interviewees as an important space of protest, and one commanded by young people.¹⁶² “In Tunisia now, we cannot change anything without something below from the streets”, emphasised Emna Sammari, a young human rights lawyer and activist.¹⁶³ Just as Tunisian youth identity is often expressed in opposition to authority, and their longing for “change” built on a sense of marginalisation, young Tunisians view the street as an alternative space to occupy and pursue their vision of justice through protesting, campaigning, and public messaging. Nesrine Jelalia explained that the reason why “most of those who go into the street and organise are young” is that Tunisian political parties are “oligarchical and a pure product of dictatorship. Young people do not fit in there if they want to enjoy their freedom of action and their freedom of voice”.¹⁶⁴ While young people may find no alternative space than the street in this regard, they also have a

¹⁶⁰ Jelalia, interview with author.

¹⁶¹ Guesmi, interview with author.

¹⁶² Figure generated from analysis of interview transcripts; available with author.

¹⁶³ Interestingly, Sammari has a formal role within the transitional justice process training the judges for the Specialised Criminal Chambers. Sammari, interview with author.

¹⁶⁴ Jelalia, interview with author.

commodity that the non-young do not have in order to command street space, namely, time. In the words of Guesmi:

[I]f you don't work from 8-6 and you're a student, for example, you can go to protests at 3 pm, you can go to protests at 11am... If you don't have children and a wife and family and a house, you can spend the night writing on the walls and you have the privilege of being arrested by the police and spending the night [in jail].¹⁶⁵

Whether participating in morning protests or writing on the walls overnight, young Tunisians have recognised the prominence of the street as an avenue to give voice to their truths, display their imaginations of justice, and demand it. Further to Lundy and McGovern's call for scholars and practitioners to think "imaginatively outside the 'prevailing transitional justice box'" and "to create spaces for people to determine, shape, and develop solutions for themselves", street-based activism in Tunisia demonstrates that young people can equally take command of such critical spaces to pursue transitional justice from the very bottom upwards.¹⁶⁶ More than one third of interviewees indicated that social change was, in fact, being generated from the street level in Tunisia, either raising the effects of bottom-up "change", "justice", or the role of the street as its own "revolutionary process". It is thus crucial to pay close attention to these forces of truth, justice, and transition from the street-level, as well as their agents¹⁶⁷

The Streets Cry for Accountability: "I Will Not Forgive"

That young people in the street formed the largest public opposition to the introduction of an amnesty bill for corrupt businessmen and civil servants, let alone a bill designed by an eighty-eight year old former regime figure, should not be surprising in light of this study's indications of a Tunisian youth identity built in opposition to "old" politics and in support of "change".¹⁶⁸ Newly

¹⁶⁵ Guesmi, interview with author.

¹⁶⁶ Lundy and McGovern, p.292.

¹⁶⁷ Calculations generated from interview transcripts; available with author.

¹⁶⁸ As this study drew to a close, President Essebsi passed away in office at the age of ninety-two. Prior to his death, interviewed youth activists had commonly mentioned the position of youth activism in direct contrast to elderly

elected President Beji Caid Essebsi had served in a number of senior posts under Bourguiba and as President of the Assembly under Ben Ali, and, having called on Tunisia to “smile and be hopeful again and not talk of the past” during his campaign for the presidency, his election heralded a grave threat to the state-mandated transitional justice process and the TDC.¹⁶⁹ To “improve the investment climate” in the country, Essebsi announced in his first Independence Day speech in 2015 that the government would introduce a bill on economic and financial reconciliation to facilitate amnesties for civil servants and businessmen who had committed economic and social crimes, thereby circumventing the authority of the TDC on the issue.¹⁷⁰ The youth-led protest campaign Manich Msamah (“I Will Not Forgive”) arose with the single purpose of defeating the bill and has been met with particular enthusiasm from international and national supporters of transitional justice as a result. Numerous interviews have been released with members of the campaign, introducing their creative tactics; nevertheless, deeper and broader scholarly examinations of the ways in which the movement has reflected and combined with distinctly youthful approaches to activism have not come to the fore.¹⁷¹

political leaders, such as Essebsi and Rached El-Ghannouchi, aged seventy-eight. One interviewee noted that a common joke that anyone under the age of Essebsi, even seventy- and eighty-year olds, could be considered “young” in the field of Tunisian politics. Cherif, interview with author.

¹⁶⁹ Lilia Blaise, “Tunisia Commission Releases Final Report on 50 Years of Dictatorship,” *The New York Times*, 28 March 2019, available at <https://www.nytimes.com/2019/03/28/world/africa/tunisia-president-commission-report.html> [accessed 20 August 2019]; Eric Reidy, “Tunisia transitional justice faces obstacles,” Aljazeera, 1 January 2015, available at <https://www.aljazeera.com/news/middleeast/2014/12/tunisia-transitional-justice-face-obstacles-20141228112518476386.html> [accessed 20 August 2019].

¹⁷⁰ Amna Guellali, “New Reconciliation Law Threatens Tunisia’s Democracy,” Human Rights Watch, 2 October 2017, available at <https://www.hrw.org/news/2017/10/02/new-reconciliation-law-threatens-tunisia-democracy> [accessed 16 August 2019]; Republic of Tunisia, General Legislation Committee, “Organic Draft Law on Reconciliation in the Economic and Financial Sector” No. 049/2015, 15 July 2015, available at http://arp.tn/site/projet/AR/fiche_proj.jsp?cp=90496 [in Arabic].

¹⁷¹ Laryssa Chomiak and Lana Salman, “Refusing to Forgive: Tunisia’s Maneesh M’sameh Campaign,” Middle East Report, 46 (Winter 2016), p.1; Virginie Ladisch, “Revitalizing Justice: A Cross-Cultural Conversation with Two Youth Activists,” *The International Center for Transitional Justice*, 14 May 2018, available at <https://www.ictj.org/news/revitalizing-justice-cross-cultural-conversation-two-youth-activists> [accessed 26 April 2019].

The campaign's launch in August and September 2015 as a series of street protests that were brutalised by the police provided a reminder of the violent exclusion felt by young Tunisians and their motivation to pursue systemic change via alternative means.¹⁷² Understanding the scale of the challenge, the campaign's leading members subsequently drew from distinctly youthful approaches to activism to plan an effective response. Heythem Guesmi, a prominent member of the movement, explained that the campaign designed itself with a horizontal decision-making structure and created cells across regions; sought to rally masses to public events through social media; and invested in tools that would revive street activism, including mass printed "Manich Msamah" T-shirts, banners, drums, and flares.¹⁷³ To generate popular momentum, the campaign used young people with technical skills in online community management to run its Facebook page, enlisted the creative talents of young designers, and ensured its communiqués could be read in Arabic, French, and English.¹⁷⁴ Furthermore, this "alternative" movement was designed to be accessible and unmarked by the political divisions of the past, and visibly so in its street manifestations.¹⁷⁵ In this regard, Mounir Saidani drew parallels between the young Tunisians who rejected the leaflets of political parties during the street rallies of the revolution and the ways in which Manich Msamah insisted that politicians stand well behind the leading section of the street marches.¹⁷⁶ The campaign embodied "the new political expression, the young expression in Tunisia", according to Saidani.¹⁷⁷ By bringing popular entertainment to protests, organising

¹⁷² Guesmi, interview with author; Human Rights Watch, "Tunisia: Crackdown on Peaceful Protests," 10 September 2015, available at <https://www.hrw.org/news/2015/09/10/tunisia-crackdown-peaceful-protests> [accessed 21 August 2019].

¹⁷³ Ibid. For more analysis on the role of such activism in further solidifying a sense of "youth" identity, see Salwa Abdel Wahed, "The Power of a T-shirt: Youth Activism and the Civic Space in Tunisia," *Social Justice Perspectives*, 15 December 2017, available at <https://thesis.eur.nl/pub/41639> [accessed 20 August 2019].

¹⁷⁴ Guesmi, interview with author.

¹⁷⁵ Arbi, interview with author. Arbi participated in the Manich Msamah campaign.

¹⁷⁶ Saidani, interview with author.

¹⁷⁷ Ibid.

horizontally, and rallying masses via social media, Manich Msamah members see themselves as part of a global wave of youthful activism around the world that includes the Occupy movement and the anti-austerity demonstrations of southern Europe.¹⁷⁸

The Manich Msamah protests brought thousands of people to the streets as part of a movement that was seen as one of the largest public demonstrations in post-revolutionary Tunisia.¹⁷⁹ “[I]stead of being part of the dynamic, they *were* the dynamic, emphasised Salwa El-Gantri of the ICTJ on the subject of the energy and leadership of the Manich Msamah campaign within the wider civil society opposition to the economic reconciliation bill.¹⁸⁰ After three years of leading street demonstrations, lobbying politicians alongside other civil society organisations, and debating the state’s approach to the transition in television debates, Manich Msamah succeeded in pressuring the parliament to significantly alter the content of the law, but not remove it completely. An “administrative reconciliation law” was passed in 2017, allowing for amnesties for civil servants – but not businessmen –deemed “clear” of corruption charges.¹⁸¹ Interviewees expressed a range of reactions to the outcome, with Nesrine Jelalia of Al-Bawsala noting that the bill was symbolically negative but its real impact unknown, while Salwa El Gantri of the ICTJ said that the bill only benefitted 13 individuals.¹⁸² While the effectiveness of the Manich Msamah campaign is often judged by the passing of a significantly reduced version of the bill, it is important to underline and further explore the ways in which many campaign members see the movement’s

¹⁷⁸ See Chomiak and Salman, p.2.

¹⁷⁹ Saidani, interview with author.

¹⁸⁰ El Gantri, interview with author.

¹⁸¹ Without due process, it is unclear how the process ensured these individuals are not guilty of any crimes. Republic of Tunisia, “Organic Law on Reconciliation in the Administrative Field” No. 2017-62, 24 October 2017, available at <http://www.legislation.tn/en/actualites/organic-law-%C2%B02017-62-dated-24-october-2017-relating-reconciliation-administrative-field> [accessed 20 August 2019].

¹⁸² El Gantri, interview with author.

effects more broadly, outside of the limitations of the political arena, and more in line with youth ambitions of bottom-up change.

“[W]e revived the street. People [had] their hope back in the protests, on the street, expressing themselves publicly”, explained Heythem Guesmi.¹⁸³ Despite the government’s attempt to have society dismiss them as “dancing children”, Guesmi said that the campaign’s key victory against its political and business opponents came when the activists felt that they had “broke[n] a lot of their arrogance.”¹⁸⁴ Before that, much of the tactics had served to shock the public into societal debate by wearing T-shirts with the message “I Will Not Forgive” and with campaigns such as “Wanted” that saw youth activists descend into the streets at night to plaster images of businessmen known for corruption.¹⁸⁵ One such businessman, Slim Chiboub, a businessman married to Ben Ali’s daughter, was pictured under the line “Wanted to face justice for stealing from the Tunisian people”, with a figure of 100 million dollars on offer for the Tunisian people advertised underneath.¹⁸⁶ At a time of severe economic hardship and a growing sentiment that the old elite were needed to bring back fortune and prosperity, the deployment of these creative and new methods of engaging the public on the financial merits of pursuing accountability for socio-economic crimes were, seemingly, the shock that was needed to generate a discursive shift on what was acceptable to, and needed for, a meaningful sense of transition.¹⁸⁷ Looking at the campaign from the outside, Hiba Ben Haj Khalifa said the movement’s message of “no reconciliation before accountability” was simple and effective in giving transitional justice a more

¹⁸³ Guesmi, interview with author.

¹⁸⁴ Ibid.

¹⁸⁵ Ibid; see also Chomiak and Salman. See Figure 1 below.

¹⁸⁶ See Figure 1 below. Henda Chennaoui, “Wanted : Après Slim Chiboub, Abdelwahab Abdallah,” *Nawaat*, 26 May 2016, available at <http://nawaat.org/portail/2016/05/26/wanted-apres-slim-chiboub-abelwahab-abdallah/> [accessed 20 August 2019].

¹⁸⁷ For Chomiak and Salman, the movement “spark[ed] debate about the meaning of truth and reconciliation... [and] brought to the fore lingering issues of corruption and structural inequality.” Chomiak and Salman.

accessible meaning amidst the widespread misunderstandings of the concept and the subversive narratives directed towards it.¹⁸⁸ Manich Msamah “communicated a message of ‘these people are thieves; they stole [the] money of Tunisians.’ And then people started to understand what transitional justice is, in an economic way, but not in a political way... it was speaking to people in the street” said Ben Haj Khalifa.¹⁸⁹



Figure 1. Photographs of the Slim Chiboub posters as part of the Manich Msamah “Wanted” campaign. Photos: Huffpost Tunisie.¹⁹⁰

Within wider debates on transitional justice, the “I Will Not Forgive” campaign attests to a number of theories of justice-seeking from the bottom up, not least Brudholm’s compelling case for “resentment’s virtue”, that someone who is not willing to forgive is demonstrating the emotional testimony needed to demand justice and change.¹⁹¹ This exact sentiment was described

¹⁸⁸ Hiba Ben Haj Khalifa, interview with author.

¹⁸⁹ Ibid.

¹⁹⁰ Huffpost Tunisie, “Pour le collectif “Menich Msemah”, Slim Chiboub est “Wanted” (PHOTOS)” [For the group “Menich Msemah”, Slim Chiboub is “Wanted” (PHOTOS)], 22 May 2016, available at https://www.huffpostmaghreb.com/2016/05/22/slim-chiboub-tunisie_n_10092798.html [accessed 1 September 2019].

¹⁹¹ Brudholm, p.10.

by Heythem Guesmi who explained that Manich Msamah had opponents, not enemies.¹⁹² “I don’t hate you, but please don’t hurt me”, he said, recounting an imagined conversation with a corrupt businessman., insisting on *businessman*.¹⁹³ From the streets up, the Manich Msamah campaign effectively communicated this message of resentment, but not retribution, promoting an understanding of interdependence of old elites and the public, of stolen funds and the country’s future, that represents a crucial pathway towards the “moral imagination” needed to transcend patterns of injustice.¹⁹⁴

The Streets: The Emergency Room for Truth and Justice

Due to their visibility and accessibility, the streets have been an essential space for young Tunisians to communicate a continued sense of harm and an absence of justice during the narrative contest over the state of “transition”. While Manich Msamah sought to revitalise the case for accountability for past cases of corruption, the youth-led campaign *Fech Nestanneu* (“What Are We Waiting For”) of 2018 used similar tactics and methods of popular protest to generate renewed energy for the revolutionary demands of socio-economic change.¹⁹⁵ The movement was led by a generation of activists who had recently graduated and headed student unions and young female activists featured prominently as its spokespeople.¹⁹⁶ Like Manich Msamah, the “What Are We Waiting For” campaign also looked to the street to promote social truths and give voice to the

¹⁹² Guesmi, interview with author.

¹⁹³ Ibid.

¹⁹⁴ Lederach, p.173.

¹⁹⁵ Jillian Kestler-D’Amours, “Q&A: Tunisia’s protest leaders vow to keep up pressure,” *Aljazeera*, 14 January 2018, available at <https://www.aljazeera.com/news/2018/01/qa-tunisia-protest-leaders-vow-pressure-180114072916448.html> [accessed 20 August 2019].

¹⁹⁶ Henda Chennaoui and Warda Attig were particularly prominent members in the media. Fadil Aliriza, “Tunisia tackles symptoms rather than cause of austerity riots,” *Middle East Eye*, available at <https://www.middleeasteye.net/news/analysis-tunisia-tackles-symptoms-rather-cause-austerity-riots> [accessed 20 August 2019]. For a further reading of *Fech Nestanneu* through the lens of feminist youth activism, see Dan Moshenberg, “Women are Tunisia’s revolutionary guards: What are we waiting for? *Fech Nestanneu*?”, *Women in and Beyond*, 14 January 2018, available at <http://www.womeninandbeyond.org/?p=21950#comments> [accessed 20 August 2019].

revolutionary youth demand of “freedom, work, and national dignity”.¹⁹⁷ On the anniversary of the revolution in January 2018, some Fech Nestanneu activists sported clown costumes in order to repel the label bestowed upon them as “troublemakers”, exemplifying a youthful embrace of new, popular tools and styles of activism.¹⁹⁸ Despite these attempts to ensure that they were seen as peaceful, almost 800 protestors were arrested.¹⁹⁹ At least 200 of those were aged between fifteen and twenty years old.²⁰⁰

As demonstrated by the cycles of protest and suppression, the protest campaigns of Manich Msamah and Fech Nestanneu utilise the streets not just as an avenue to effect change but also to visibly manifest youth marginalisation as a truth. From group chants of “poverty and hunger”, to individual claims that neglected hometowns are like “prisons”, to externally captured video footage of the violent suppression of the protests, the streets offered youth-led protests groups like Fech Nestanneu to publicly communicate the harms they feel and to own the media through which these truths are told.²⁰¹ Demonstrations have proven an integral part of the truth-telling process, particularly in light of the difficulties faced by the TDC and the many political impasses of the post-revolutionary period. Discussing the difference between institutional and top-down approaches to the key issues facing Tunisia, Heythem Guesmi recalled a message he delivered to the UN in Geneva: “Institutions are good, but the streets are better... They give you the truth, they

¹⁹⁷ Jason Burke, “Who is protesting in Tunisia and why?,” *The Guardian*, 11 January 2018, available at <https://www.theguardian.com/world/2018/jan/11/who-protesting-tunisia-why-authorities-students-angry> [accessed 20 August 2019].

¹⁹⁸ Sarah Leduc and Louise Nordstrom, “Why Tunisia’s revolutionary fire still burns seven years after Arab Spring uprising,” *France 24*, 15 January 2018, available at <https://www.france24.com/en/20180115-tunisia-arab-spring-revolution-anniversary-spirit-seven-years-austerity-unemployment-povert> [accessed 10 August 2019].

¹⁹⁹ Rupert Colville, “Press briefing note on Tunisia,” *United Nations Office of the High Commissioner for Human Rights*, 12 January 2018, available at <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22581&LangID=E> [accessed 20 August 2019].

²⁰⁰ Ibid.

²⁰¹ Aliriza, “Tunisia tackles symptoms rather than cause of austerity riots.”

give you raw information... it's like the emergency room. It gives you the first information about the wound, the injury, the problem you have.”²⁰² The widespread sense of social and economic harm felt by young Tunisians embodies Jill Stauffer's notion of “ethical loneliness”, not least as the TDC has been accused of failing to hear and grasp the youth struggle.²⁰³ Accordingly, the streets have been a primary avenue through which young Tunisians can combat this loneliness by telling truths and creating an “emergency room” where others are confronted with their injuries and can no longer deny their condition.²⁰⁴

The role of the streets as the “emergency room” is most noticeable in the interior regions of the country, where a compound discrimination exists along the lines of age and region and where the politicisation of a formal transitional justice process has been seen as “out of touch” with society's pressing needs.²⁰⁵ Recounting her engagement with young Tunisians in marginalised regions, Hela Boujneh mentioned the palpable “hate and anger” of young people who promised to turn to violence if their demands were not met, but would almost never do so as they have been too weak to meaningfully consider confronting security forces.²⁰⁶ Despite the overwhelming sense of injustice, youthful methods of public protesting have yielded some results. A youthful sit-in at an oil and gas facility in Kamour in the southern region of Tataouine in 2017 has been cited as a model of open, self-sufficient, non-hierarchical mobilisation that has effectively secured commitments to a certain degree of transformative justice.²⁰⁷ As with Manich Msamah

²⁰² Guesmi, interview with author.

²⁰³ Poor communication, internal management, and its susceptibility to political disruption were the three most common complaints about the ability of the TDC to fulfil its mandate. Expressing a disappointment in the TDC's lack of outreach, especially to marginalised areas, Bechir Jouini said, “it should be working here in the streets, in the countryside, in the south,” while Salwa El Gantri said that the TDC's final report had weak recommendations on youth issues. Jouini; El Gantri, interviews with author.

²⁰⁴ Guesmi, interview with author.

²⁰⁵ The Economist, “Shadows from the past: Truth and reconciliation in Tunisia,” no. 8987, 30 April 2016.

²⁰⁶ Boujnah, interview with author.

²⁰⁷ In an interview, Salwa El Gantri mentioned the Kamour protests as an example of how young Tunisians lead major protests. Youssef Cherif, “The Kamour Movement and Civic Protests in Tunisia,” *Carnegie Endowment*, 8

and Fech Nestannew, the Kamour case signals the effectiveness of the public space-based protest to raise truths – in this case, the prevailing levels of unemployment in a resource-rich region – and then shape a discourse around the need for transformative remedies. The movement has been seen as remarkably effective as the protestors secured policy commitments on job creation and local development projects.²⁰⁸

Young Tunisians have not just used public street spaces to give short-term voice to the truths of the injustice they have felt, but have also etched them into more durable messages to shape the imagination of “justice”. They are most visibly found in the form of graffitied slogans, which have been seen as part of the country’s national heritage in the post-revolutionary context.²⁰⁹ Whereas the hashtags of the Manich Msmamah and Fech Nestannew campaigns had only trended online for a short while, their messages calling for justice remain more permanently spray painted on the walls of Tunis, despite the attempts to paint over them.²¹⁰ The most prevalent messages on display are generally those of the “Ultras” groups of Tunis’ major football teams, tagging allegiances of urban areas to a particular team and group. Their voices have proven some of the most powerful in calls for truth and justice in the wake of gross misuse of power. “RIP Omar” (written in English), often seen accompanied by “learn to swim” (written in Arabic) or more artistic reproduction of the face of Omar Laabidi can be seen widely, raising the case of a 19-year old Club Africain fan who, in 2018, was chased by police leaving Rades stadium and was pushed into a river whereupon he drowned.²¹¹ Accounts say that Laabidi was told by an officer “learn how to

August 2017, available at <https://carnegieendowment.org/2017/08/08/kamour-movement-and-civic-protests-in-tunisia-pub-72774> [accessed 20 August 2019].

²⁰⁸ Cherif, “The Kamour Movement and Civic Protests in Tunisia.”

²⁰⁹ Masri, p.54

²¹⁰ See Figure 2 below.

²¹¹ See Figure 3 below. Amnesty International, “Tunisia: Where Running From Police Can Be Deadly,” available at <https://www.amnesty.org/en/latest/campaigns/2019/04/tunisia-where-running-from-police-can-be-deadly/> [accessed 20 August 2019].

swim” as he called for help.²¹² Thanks to an effective popular campaign for justice for his death, the now high-profile case has brought to the fore the enduring experience of police brutality and the misuse of power – themes that regularly arise in youth graffiti.²¹³ From “all cops are bastards” (often written “ACAB” or “1312”) to “f*** the man”, young Tunisians have demonstrated a keen connection to global subcultures that bring a shock factor to their efforts to mould the social debate around their demand for systemic change.²¹⁴



Figure 2. Photographs of Fech Nestannaw and Manich Msamah graffiti on the streets of central Tunis. Photos: Lawrence Robinson.

²¹² Ibid.

²¹³ See Mounir Saidani, “Post-Revolutionary Tunisian Youth Art: The Effect of Contestation on the Democratization of Art Production and Consumption,” in Elina Oinas, Henri Onodera, Leena Suurpää (eds) *What Politics?: Youth and Political Engagement in Africa* (Leiden, Netherlands: BRILL, 2018): p.115

²¹⁴ Ibid, p.114.



Figure 3. Photograph of RIP Omar/#ta'alam 'aoum (“learn how to swim”) graffiti in central Tunis, near the Tunis Marine train station. Photo: Lawrence Robinson.

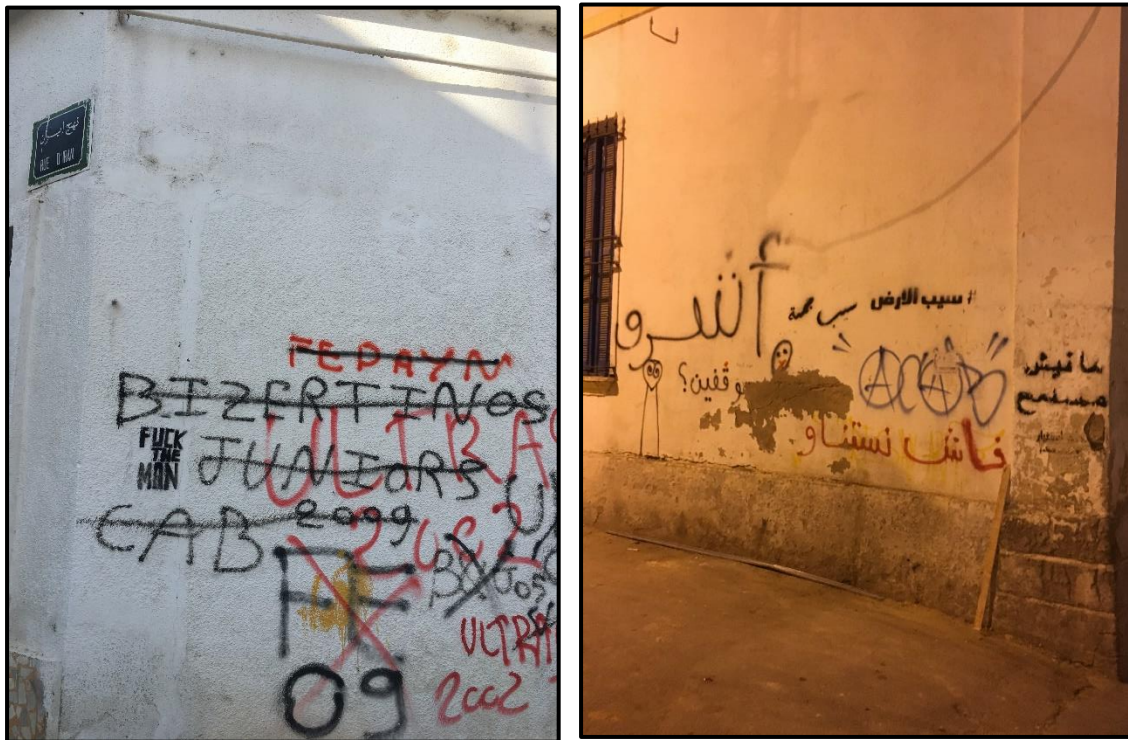


Figure 4. Photographs of graffiti on the streets of central Tunis, displaying the mixture of voices and messages on public walls. The photograph on the left displays tags of Ultras groups alongside messages of “f*** the man”. The photograph on the right displays the message of “all cops are bastards” alongside the message of Fech Nestannev (“What Are We Waiting For”) and Manich Msamah (“We Will Not Forgive”). Photos: Lawrence Robinson.

The rejection of forgiveness and the embrace of resentment is a clear youth message on display on the walls of Tunis. A similar stencil style used to spray paint Manich Msamah, for example, is also seen with the more detailed message of “There is no freedom in a land where its criminals are free. Our hunger comes from your tyranny.”²¹⁵ While figures of authority would likely call such messages inflammatory, antagonistic, and hostile to the spirit of reconciliation, youth activists and theorists such as Brudholm might contend that such outrage and resentment can be a sign of “moral protest and ambition” that is key to any breakthrough in a societal transition towards peace or justice.²¹⁶ For Jill Stauffer, meanwhile, “ethical loneliness” can again be read on graffitied walls as “hunger” or heard in interviews with young protesters as a feeling of “non-existence”.

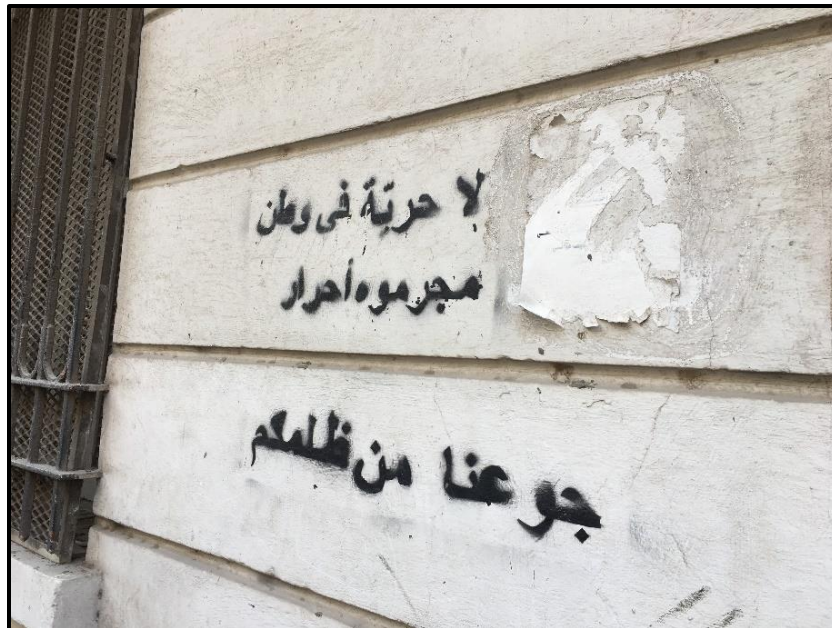


Figure 5. Photograph of graffiti that reads “There is no freedom in a land where its criminals are free. Our hunger comes from your tyranny”, using a similar stencil to “Manich Msamah” in the photograph (right) in figure 4. Photos: Lawrence Robinson.

²¹⁵ See Figures 4 (righthand photograph) and 5.

²¹⁶ Brudholm, p.4.

These feelings of hunger and a longing for freedom and justice are compounded by the inability of top-down transitional justice mechanisms – in this case the TDC or the ever-obstructed court proceedings – to thoroughly raise truths and secure justice.²¹⁷ Reflecting on the ways in which young Tunisians are actively pursuing their visions of social change, Mounir Saidani encouraged close attention to the informal, daily actions of young people who “are doing things differently” and that these unique behaviours “are more deep in their influence on conceptions of transitional justice, even if, at the official level, they seem not influential.”²¹⁸ The streets provide a clear example of one such way in which young activists have been able to influence society’s process of transition and justice, providing an accessible avenue for young people to express their sense of harm, their feelings of resentment, and their imaginations of a new, just system.

²¹⁷ Stauffer, pp.31-32.

²¹⁸ Saidani, interview with author.

Chapter Four

The Youthful Art of Transitional Justice from the Bottom Up

“Old men, our rap is more listened to than your president.”

– Phenix, a Tunisian rapper.²¹⁹

Youth, Art, Creativity, and Imagination

Featuring the rallying sounds of drums and trumpets, colourful costumes, and spray-painted walls, the Tunisian streets have offered a window into just some of the uniquely creative and artistic features of youth activism. Beyond the specific socio-political arena of the streets, interviews revealed an association of youth with art, creativity, and an independent imagination that is important to explore more broadly in relation to the pursuit of justice in the transitional context. The observation of this connection is, of course, nothing new, but is popularly made across many societies, and with some scientific justification. In 2017, a team of psychologists explored the youth-creativity hypothesis with a series of experiments, finding that younger people are cognitively more flexible.²²⁰ The study also notes that “[c]ultural innovations, such as new socially significant forms of language, dress, or music often first appear in adolescents.”²²¹ The prevalence of such cultural innovations in Tunisia and their relation to the youthful pursuit of truth-telling, memory preservation, and justice-seeking form a critical part of the bottom-up transitional justice process. “We have a different culture compared to the previous generation”, explained Khalil Arbi, pointing to the important role of art, poetry, writing, and even clothing style, for his generation’s

²¹⁹ This lyric closes the Tunisian song Hchinahoulna by Klay BBJ and Phenix. Translation from Stefano Barone, “Feeling so Hood. Rap, lifestyles and the neighbourhood imaginary in Tunisia,” *British Journal of Middle Eastern Studies* 46, volume 1 (2019): p.89.

²²⁰ Alison Gopnik, Shaun O’Grady, Christopher G. Lucas, Thomas L. Griffiths, Adrienne Went, Sophie Bridgers, Rosie Aboody, Hoki Fung, and Ronald E. Dahle, “Changes in cognitive flexibility and hypothesis search across human life history from childhood to adolescence to adulthood,” *Proceedings of the National Academy of Sciences of the United States of America* 114, Issue 30, 24 July 2017, p.7892.

²²¹ *Ibid*, p.7894.

pursuit of social change.²²² That “art”, and often “culture”, were important aspects of activism and media of expression was raised by more than forty percent of respondents.²²³ Specifically with respect to truth-telling and memory preservation, young Tunisians’ command of arts and creative tools have been essential aspects of the socio-cultural, bottom-up project of coming to terms with the past and the imagining of a more just future.

Painting, Rapping, and Imagining Justice in Transition

Closely connected to the graffitied messages seen all over the walls of Tunis, the city displays image-based street art that keenly exhibits young Tunisians’ hopes for transition and justice. The connection between art and truth is explicitly made in a street art gallery found under the major overpass in downtown Tunis, where one pillar introduces the artwork with the words of Martin Heidegger: “The essential nature of art would then be this: the setting-itself-to-work of the truth of beings.”²²⁴ The once grey concrete pillars of the A1 overpass now feature vibrant colourful paintings made by students of fine arts that showcase a range of images and imaginations of post-revolutionary Tunisia.²²⁵ Some are more abstract in their self-expression, displaying colourful patterns and shapes, while others’ imaginations of Tunisia and its post-revolutionary society are

²²² Ibid.

²²³ Calculation generated from analysis of interview transcripts; available with author.

²²⁴ Martin Heidegger, *Off the Beaten Track*, ed./trans. Julian Young and Kenneth Haynes (Cambridge, UK: Cambridge University Press, 2002): p.16.

²²⁵ Taieb Khouni, “Polémique autour du retrait de graffitis d'un pont de la capitale, la présidence du gouvernement réagit” [“Controversy over the removal of graffiti on a bridge of the capital; the head of government responds”], Huffpost, 16 March 2019, available at https://www.huffpostmaghreb.com/entry/polemique-autour-du-retrait-de-graffitis-dun-pont-de-la-capitale-la-presidence-du-gouvernement-reagit_mg_5c8ce97ee4b0d7f6b0f3ee3c [accessed 25 August 2019].

easier to see and read, with images labelled “#RiseTunisia”, or “Freedom”, or a boat propelled by three wind-filled sails of “Order; Justice; Equality”.²²⁶



Figure 6. Photographs from the street art gallery of the A1 underpass. Photos: Lawrence Robinson. Top left: The words of Martin Heidegger, “L’essence de l’art, c’est la vérité se mettant elle-même en œuvre” [“The essential nature of art would then be this: the setting-itself-to-work of the truth of beings.”] Top right: three pillars, furthest left in the foreground reading “art is humanity” and on the right “freedom”. Bottom left: a screaming face next to abstract colourful paintings, with the second row featuring a girl’s head filled with images of roses, a boat, Earth, and a Rubik’s cube. Bottom right: a boat propelled by sails of “order; justice; equality” [right to left].

In contrast to some of the long-held mythologies of an inclusive, human rights-oriented Tunisia crafted by its “benevolent dictators”, Heidegger’s notion of art as the “truth of beings” comes to the fore in the people-oriented street gallery, with a noticeable subject being young

²²⁶ See Figure 6.

women's feelings of harmful isolation, vibrant thought, and vision.²²⁷ Women's voices, and the intersections of gender-, age-, and sexual identity-based marginalisation, arise as clear themes in post-revolutionary street art. In 2018, the city gained its "first feminist mural", developed through a partnership between Chouf Minorities, a Tunisian feminist organisation working on sexual rights, and the Fearless Collective from South India.²²⁸ The painting depicts two women, each holding a flame, calling on other women to "listen to your rage" and "be tender with yourself" above the artists' creative representations of female genitalia.²²⁹ Situated on a busy street in downtown Tunis, right next to a male-only bar, and painted during the month of Ramadan, the fresco proved a vibrant forum for social debate whilst being painted and embodies the hard-fought battle for truth and gender justice in Tunisia's post-revolutionary context at the grassroots level.²³⁰ As the TDC has had its own ability to raise truths critically questioned, including allegations that documentation of sexual- and gender-based violence was removed from the final report, the role of art in promoting women's experiences of dictatorship and wider forms of socio-cultural repression as truths, as well as their visions of change, cannot be understated.²³¹

²²⁷ Francesco Cavatorta and Rikke Hostrup Haugbølle, "The End of Authoritarian Rule and the Mythology of Tunisia under Ben Ali," *Mediterranean Politics*, 17, no.2 (2012): pp.181-182; Kristine Goulding, "Fear the Islamists, and the secularists too? Tunisian women in post-Arab Spring electoral politics," *United Nations Research Institute for Social Development* (Geneva, May 2011), available at [http://www.unrisd.org/80256B3C005BE6B5/httpNetITFramePDF?ReadForm&parentunid=2322A67A2165AD58C125789A00480214&parentdoctype=newsauxiliarypage&netitpath=80256B3C005BE6B5/%28httpAuxPages%29/2322A67A2165AD58C125789A00480214/\\$file/Goulding.pdf](http://www.unrisd.org/80256B3C005BE6B5/httpNetITFramePDF?ReadForm&parentunid=2322A67A2165AD58C125789A00480214&parentdoctype=newsauxiliarypage&netitpath=80256B3C005BE6B5/%28httpAuxPages%29/2322A67A2165AD58C125789A00480214/$file/Goulding.pdf) [accessed 26 August 2019]; Heidegger, p.16.

²²⁸ Magdalena Mach, "Tunisians Women Take Over Male-Dominated Streets With Art," *Words in the Bucket*, 23 July 2018, available at <https://www.wordsinthebucket.com/tunisian-women-paint-the-city-walls-with-their-feminine-power> [accessed 25 August 2019].

²²⁹ Mach.

²³⁰ Ibid.

²³¹ In an interview, Salwa El Gantri noted that a chapter on Tunisia's history of sexual- and gender-based violence was erased from the TDC's report due to a personal conflict between the president of the commission and the head of the women's committee. Ben Hajj Khalifa also stated that "[w]omen's rights, including sexual harassment, [were] ... not highlighted in the report of the truth commission." Ben Haj Khalifa; El Gantri, interviews with author



Figure 7. Photograph of the mural, situated on Rue Garibaldi and Avenue Paris. Photo: Lawrence Robinson.

Reflecting their socio-political significance, these arts spaces have been targeted for silencing. In early 2019, the Ministry of Equipment looked to erase the street art under the A1 overpass, painting over the works in grey to once again match the concrete.²³² In swift response, young photographers moved to document the gallery online while the popular outcry developed to later ensure that the government would create a budget to restore the paintings.²³³ Whether they involve long painting sessions with daily interactions between men and young women on gender, or feature a ministerial challenge over the prominence of colourful art along a major road, street

²³² Khouni.

²³³ Ibid.

youth-created art space has proven itself a key area in the social contest over the truths of lived experiences and the justice that is needed for a meaningful transition. In contrast to the highly politicised nature of the TDC or the courts, the social positioning of arts spaces appears to make these contests more balanced, and more hospitable to the rebuilding of relationships, as evidenced by the fact that the artwork has been kept so visibly in the public realm.²³⁴

Musical art offers another important window into the distinct forms of youth agency and the critical role of art in truth-telling and justice-seeking from the bottom-up. In an interview, Khayem Chemli, the coordinator of the transitional justice coalition for Avocats Sans Frontières, emphasised the importance of musicians in popularising the transitional justice framework.²³⁵ “[S]ometimes it’s boring what we do: press conferences and policy briefs, advocacy”, he said, before introducing the importance of artists who “are closer to the people” than civil society.²³⁶ Rap and hip-hop are two distinctly youthful, subcultural styles of music that have been at the forefront of raising social truths and feelings of injustice among the collective consciousness. In November 2010, Hamada Ben Amor, known as El Général, released “Rais lebled” (President of the Country”) that rallied masses to protest against the prevailing injustice and was hailed as a revolutionary rap anthem across the region.²³⁷ The rapper, who calls himself “the voice of the country”, has continued to criticise those who have come to power whilst seeking to generate support for a second revolution with “Rayes Lebled 2” in 2014.²³⁸

President of the country, we're still sacrificing ourselves to oppression and tyranny.

²³⁴ Lederach focuses a lot of attention on the importance of the “restoration and rebuilding of relationships” for peacebuilding and societal transformation. See John Paul Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies* (Washington, DC: United States Institute of Peace, 1997), p.24.

²³⁵ Chemli is, interestingly, a *young* activist serving in this coordinator position.

²³⁶ Ibid.

²³⁷ Vivienne Walt, “El Général and the Rap Anthem of the Mideast Revolution,” *TIME*, 15 February 2011, available at <http://content.time.com/time/world/article/0,8599,2049456,00.html> [accessed 25 August 2019].

²³⁸ Sean O’Keefe (trans), “El General - Rayes Lebled 2,” *Revolutionary Arab Rap: The Index*, 24 March 2014, available at <http://revolutionaryarabraptheindex.blogspot.com/2014/03/el-general-rayes-lebled-2.html> [accessed 25 August 2019].

*Go out and see what's still happening in the country!
Your people are dying. We have no bread and we're in chains.
They beat us with shoes and our hearts are broken.
We're still living through the same suffering.*²³⁹

Just as the TDC was about to commence its technical work of discovering truths and initiating pathways to justice, the repeated chorus of “Rayes Lebled 2” provided an important reminder that a transition had not been secured and that the task of transitional justice” could not be one of technical implementation.²⁴⁰

As a subcultural genre, hip-hop and rap have been a powerful youth-owned medium for young Tunisians’ freedom of expression, and their sense of agency. With songs such as “The Police Are Dogs,” the rap of Klay BBJ and Weld El 15 is well known for its opposition to the police just as the medium, as a whole, is so reflective of young Tunisians’ anti-authority identity.²⁴¹ “When I insult you my people rejoice; insulting you is my bread. Old men, our rap is more listened to than your president,” emphasises another rapper, Phenix, in a song with Klay BBJ.²⁴² Mixing rap with dubstep and reggae, Kafon and Hamzaoui Med Amine’s track “Houmani” from 2013 went viral, raising to the fore the continued feelings of injustice for those in urban neighbourhoods:

*We live like trash in the dustbin,
I am so poor, I don't have a penny,
I don't wake up early in the morning,
I don't even know what a watch is,
This place is suffocating,
The atmosphere is so gloomy...*²⁴³

²³⁹ Ibid.

²⁴⁰ Ibid.

²⁴¹ Stefano Barone, “Feeling so Hood. Rap, lifestyles and the neighbourhood imaginary in Tunisia,” *British Journal of Middle Eastern Studies* 46, volume 1 (2019): p.89.

²⁴² Ibid.

²⁴³ The Economist, “Tunisian music: Tuned into the street,” 21 November 2013, available at <https://www.economist.com/pomegranate/2013/11/21/tuned-in-to-the-street> [accessed 26 August 2019]; Barone, p.101.

Whereas the formal process of truth-telling has been made divisive and quite unpopular, tracks such as Houmani receive tens of millions of views online and are played loudly by their subjects in poor neighbourhoods, by elites frequenting discos and clubs, and by car and taxi drivers.²⁴⁴

For the pursuit of transitional justice, the youthful use of new music and arts styles to raise awareness of otherwise neglected experiences is of the utmost significance. Exploring the specific role of this youth-owned musical genre to raise “the truth of the everyday street experience” in an urban neighbourhood, Stefano Barone argues that “[t]he art of rapping displayed agency over the narrative of social difference in Tunisia”, and has afforded a new, though still limited, sense of “dignity and social recognition” for those in marginalised areas.²⁴⁵ For Mounir Saidani, a professor of sociology, rap music is just one of the fascinating ways in which young Tunisians are “saying other things with other words [and] with other forms”, later emphasising that “young people will create other manners [and] other behaviours to be in this process of transitional justice” as the social project continues from the bottom-up.²⁴⁶ As indicated by the popular art of street paintings and rap songs, new creative and artistic means of engaging society have proven particularly flexible and robust tools in the hands of young people imagining and contesting notions of “justice” and “transition” – characteristics that appear even more significant in light of the rapidly depreciating value afforded to the TDC’s work, and that of the formal transitional justice as a whole.²⁴⁷

²⁴⁴ See MoLoToV 144p, “Hamzaoui Med Amine & KAFON ❖ حوماني ❖ Houmani - 7oumani,” online video clip, YouTube, 11 October 2013, web [accessed 25 August 2019]; Barone, p.89.

²⁴⁵ Barone, pp.102 and 1103.

²⁴⁶ Saidani, interview with author.

²⁴⁷ As of writing, the truth commission’s report had still not been officially recognised by the prime minister. Interviews widely emphasised the failures of the TDC to reach ordinary people. Documents available with author.

Transmitting Voices of Memory: The Role of Youthful Creativity

Creativity, innovation, and art have fortunately not been limited to the realms of Tunisian street artists and rappers, but have been a key feature of a prominent unofficial truth project (UTP) in the country. “To be unique, creative and appropriate for a local context... is their greatest strength”, wrote Louis Bickford in 2007 about UTPs as the scholarly debate on the role of formal and informal processes of transitional justice came to the fore.²⁴⁸ Featuring an intergenerational collaboration between nine Tunisian women, the Voices of Memory project embodies these attributes as its creative and innovative methods have served to ensure that truths are told, voices are heard, and memories are preserved by Tunisian society.²⁴⁹ As a women-led project, it explores the critical intersection of youth and women’s activism, not least for the Tunisian context that hails youth and women as trailblazers and safeguards of the revolution respectively.²⁵⁰ Despite this esteem, young women interviewed nevertheless expressed a sense of marginalisation from those leading the transition and a need to pursue creative alternative initiatives, such as the Voices of Memory project, as a result. “[W]e found ourselves on the margin of transitional justice. We were young women involved in the topic of transitional justice but we had no idea how to be an alternative” to the issue-focused NGOs and older activists who “are lacking experience in advocacy and strategic vision,” said Hiba Ben Haj Khalifa, one of the young activists involved with Voices of Memory, indicating the areas where she saw the strength of young women’s activism.²⁵¹ The project afforded Ben Haj Khalifa and other activists a unique opportunity to reveal these youth-owned strategic visions by designing creative methods of story-telling.²⁵²

²⁴⁸ Bickford, p.1035.

²⁴⁹ Voices of Memory, “Living Memorial For Women Victims Of The Dictatorship,” 2018, p.2, available at <https://voicesofmemory.tn/catalog/> [accessed 26 August 2019].

²⁵⁰ Masri p.44 and p.11.

²⁵¹ Ben Haj Khalifa; Voices of Memory, “Living Memorial For Women Victims Of The Dictatorship,” p.28.

²⁵² Voices of Memory, “Living Memorial For Women Victims Of The Dictatorship,” p.2.

Having had her hopes for the use of new, more accessible terminology dismissed by practitioners in discussions on transitional justice, Ben Haj Khalifa and other young activists involved with Voices of Memory decided to not use the term “transitional justice” as they set about crafting the project.²⁵³ Nor would they “serve the truth commission”, she mentioned.²⁵⁴ Instead the project united behind a “belief in the power of storytelling as a vehicle for change” and the use of a wide range of creative methods in order to ensure that the testimonies are heard, understood, and engaged with.²⁵⁵ The artwork generated as part of the Living Memorial – featuring textiles, sculpture, video and sound installations, painting, and photography – proves a key element in the exhibition’s quest to “awaken in the visitor a more intimate understanding of multiple perspectives and complex situations” related to real and metaphorical experiences of imprisonment under dictatorship.²⁵⁶ To ensure permanent and widespread accessibility, the exhibition is available online as an interactive tour, where participants are accompanied by the project's symbol, the “koffa” (a traditional Tunisian basket used, in these cases, to bring food to prisoners), and are guided by a youth activist, Nadia Jmal.²⁵⁷ The highly *visual* representation of these women’s experiences – such as wives journeying to visit their husbands in prison, only to see jailers destroy the meals they had prepared and steal from their handbags – was at the forefront of one

²⁵³ Ben Haj Khalifa, interview with author.

²⁵⁴ “The question for me all the time was *are we obliged all the time to use the term transitional justice?* We can just modify it and target something inside “transitional justice” and focus on it to bring more youth with us. But no-one listened or cared about what we were saying”, said Ben Haj Khalifa. Ben Haj Khalifa, interview with author.

²⁵⁵ Voices of Memory, “Living Memorial For Women Victims Of The Dictatorship,” p.2.

²⁵⁶ Ibid, pp.3-19.

²⁵⁷ Voices of Memory, “Virtual Tour,” Voicesofmemory.tn, available at <https://voicesofmemory.tn/virtual-tour/> [accessed 26 August 2019]. The “koffa” is used as the project’s emblem, a symbol of women’s burden but also their resilience in the face of repression. Voices of Memory, “Living Memorial For Women Victims Of The Dictatorship,” p.2.

interviewee's experience of the exhibition, who raised the project as an important example of women-led truth-telling alongside the work of the TDC.²⁵⁸

Critically, the Living Memorial was not just accessible online, but also toured the country in late 2018, setting up in Tunis, Sfax and the more marginalised towns of El Kef and Redeyef in the interior regions.²⁵⁹ One interviewee involved with the exhibition, Bechir Jouini, recounted the emotions and meanings sparked by the exhibition coming to these areas: "In Redeyef, Gafsa, people were crying... 'you are here, you came to us, so we feel that we are Tunisian.'"²⁶⁰ He further explained that, in these areas where young people are known for disaffection and disillusionment, the exhibition drew a great number of young people and even children, some of whom felt moved to express demands to the government after seeing the exhibition.²⁶¹ Ben Haj Khalifa similarly remembered children's concerns of repetition of past crimes and experiences of imprisonment, whilst noting the ways in which the exhibition reached "a new audience".²⁶² "At the exhibition, I saw a lot of people I thought would never be interested in transitional justice, like cultural journalists, the international community in Tunisia. People came from their cocoons in La Marsa and came to the city centre just to see the exhibition", she recalled.²⁶³ By travelling to marginalised regions, connecting the experiences of victims with younger generations through digital and artistic storytelling, and attracting an audience beyond the local with engaging artwork,

²⁵⁸ The interviewee described the exhibition as follows: "it related the experiences of women with jail and how they would get meals for their husbands and the whole journey of going back from one place to another. And then to see the meal prepared being manipulated by the hands of jailers. And how they will steal from the handbag and take it for themselves." Anonymous interview with author.

²⁵⁹ *Voices of Memory*, "Living Memorial For Women Victims Of The Dictatorship," p.0.

²⁶⁰ Jouini, interview with author.

²⁶¹ Jouini also explained how the project arranged for debates between young people visiting the exhibition in order to deepen their engagement with concepts of transitional justice. Jouini, interview with author.

²⁶² Ben Haj Khalifa, interview with author.

²⁶³ *Ibid.* La Marsa is an upper-/upper-middle class coastal town/suburb of Tunis.

the exhibition can be seen as a pioneering initiative amidst the country's palpable and widespread feelings of "ethical loneliness".²⁶⁴

In addition to the creative use of art for the exhibition, the project also embraced Ben Haj Khalifa's ideas of intergenerational storytelling by way of a graphic novel.²⁶⁵ In its youth-oriented, animated, and short comic book form, "Carrying the Basket" tells the touching story of a "rebellious girl who wants to go out to march for human rights", and her mother who tries to prevent her for fear of her experiencing the injustices that she and her *koffa*-carrying mother had felt.²⁶⁶ The story is premised on the "intergenerational gap" in Tunisia, and underscores the gendered, lived experience of injustice experienced by direct victims of dictatorship.²⁶⁷ While it concludes with the resolute stance of the young girl that "the time for fear has gone, mother", it places older women's experiences at the heart of the younger generation's impassioned struggle for revolution, and a new era of rights and justice.²⁶⁸ While Ben Haj Khalifa claimed in interview that it is impossible to evaluate the project's success, it can only be seen as encouraging that the project continues to grow and develop new initiatives that are sensitive to time and local context.²⁶⁹ Scholarship would suggest that this is critical to effective peacebuilding and the pursuit of bottom-up change, as put by Lederach:

*The goal is not stasis, but rather the generation of continuous, dynamic, self-regenerating processes that maintain form over time and are able to adapt to environmental change. Such an infrastructure is made up of a web of people, their relationships and activities, and the social mechanisms necessary to sustain the change sought.*²⁷⁰

²⁶⁴ Stauffer, pp.31-32

²⁶⁵ Ben Haj Khalifa. Voices of Memory, "Carrying The Basket", Voicesofmemory.tn, available at <https://voicesofmemory.tn/the-graphic-novel/> [accessed 26 August 2019].

²⁶⁶ Ibid.

²⁶⁷ Ibid, introduction.

²⁶⁸ Ibid, p.17.

²⁶⁹ Ben Haj Khalifa, interview with author.

²⁷⁰ Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies*, p.84.

Further to the art exhibition, the comic book, and other modern digital content, such as online podcasts, the Voices of Memory project produced a book of oral history testimonies from Tunisian women on experiences of prison in mid-2019.²⁷¹ Supported and facilitated by Haifa Zangana, a Kurdish-Iraqi novelist and former prisoner under Saddam Hussein, and introduced by the Tunisian author Shukri Mabkhout, “Journals of Salt” indicates again the way in which the intergenerational project continues to generate a far-reaching web of people and develop new mechanisms through which memories can be preserved and the case for justice effectively made.²⁷² Despite the project’s continued growth and regeneration, Hiba Ben Haj Khalifa remained critical of the initiative and noted ways in which it could have been improved.²⁷³ “I think we failed on the communication level” she said, noting a lack of time to advertise and refine messaging.²⁷⁴ The young women activists had succeeded to bring artistic initiatives to the transitional justice space where UNDP had made “failed” attempts at a film and a play; however, as a “firm believer in the power of art”, Ben Haj Khalifa still felt that the initiative could have been more creative and farther reaching.²⁷⁵ Disheartened by the fact that the project’s voices were all of an Islamist orientation, Ben Haj Khalifa noted that her visualisation of the project had involved storytelling far beyond the limitations of Tunisia’s conventional socio-political divisions, instead creating a project that might draw parallels with groups that remain particularly marginalised in the post-revolutionary context, such as the Lesbian, Gay, Bisexual, Transgender, Queer or Questioning, and Intersex (LGBTQI) community.²⁷⁶

²⁷¹ Haifa Zangana (eds), *Journals of Salt [Difātir al-malah]* (Tunis: Kalima Publishing, 2019).

²⁷² Ibid.

²⁷³ Ben Haj Khalifa, interview with author.

²⁷⁴ Ibid.

²⁷⁵ Ibid.

²⁷⁶ Ibid.

From their own roles on the margins, young Tunisians, and particularly young Tunisian women, have shown a strong command of the “alternative”, the new and creative, and the artistic that is critical to the theory of bottom-up transitional justice. While youth activists working within the structure of a UTP might find their creative visions limited, youth-led artistry on issues related to transitional justice (truth-telling, storytelling, memory preservation, and justice-seeking) can be seen operating on numerous levels. Youth creativity is exhibited in street paintings under bridges, in rap music online and through car speakers, as well as in a UTP’s artistic representations of victims’ testimonies. Such is the importance of youth-led creativeness to the idea of transitional justice from the bottom-up, that it is almost never associated with the abstract, formal label of “transitional justice” in the local context; yet, in public space, it manifests itself as a potent social force of transition.

Conclusion

Out with the Old, In with the New: Youth Leadership of Alternative Transitional Justice Approaches

I would there were no age between ten and three-and-twenty, or that youth would sleep out the rest; for there is nothing in the between but getting wenches with child, wronging the ancientry, stealing, fighting—Hark you now.

– Shepherd, *The Winter’s Tale* (William Shakespeare).²⁷⁷

That “youth” is a troublesome age group to simply be forsaken has rarely been an unpopular opinion. In the neglected yet pervasive conflict between “the young” and “the old”, the “youth” and the “ancientry”, “juveniles” and “grownups”, young people are repeatedly characterised as the immoral, the promiscuous, and the wrongdoers.²⁷⁸ Revered ancient scholars such as Aristophanes have hardly sparked a keen interest in the roles young people might play outside of their stereotyped associations with troublemaking, naivety, and inexperience.²⁷⁹ Even during critical moments for social reflection, when societies look to transition from conflict to peace, dictatorship to democracy, injustice to justice, few scholarly sources have transcended the popular stigmatisation of youth to indicate ways in which societies might recognise young people as resourceful assets, not merely as a burden to be endured. The field of transitional justice, with its prevailing emphasis on top-down state interventions, institutions, and legal approaches, has been particularly resistant to the idea that young people might have a role to play.²⁸⁰ The common disregard and dismissal of young people in such a complex struggle has prompted this study’s

²⁷⁷ William Shakespeare, *The Winter’s Tale*, “The Winter’s Tale By William Shakespeare”, eds. Barbara A. Mowat and Paul Werstine (New York: Simon & Schuster, 2005): p.109.

²⁷⁸ Ibid.

²⁷⁹ Freeman, p.75

²⁸⁰ Reference to the top-down nature of transitional justice. The neglect of youth is unmentioned. Gready and Robins, p.956.

exploration of the role(s) of youth activism in pursuing transitional justice within wider scholarly debates on the importance of utilising unofficial methods and engaging marginalised communities. Having followed the international model of a truth commission to lead a state-mandated process and with a renowned “revolutionary youth”, the Tunisian experience has provided a uniquely important case to shed light on the critical, yet under-appreciated roles of youth activism in transitional justice.²⁸¹

A Theory of Youth Activism and Bottom-Up Transitional Justice

Drawing from the case of Tunisia, this thesis has shown that, as young people are marginalised from the official processes of transitional justice, they actively seek and offer alternative approaches that are critical to a much broader, societal project of pursuing transitional justice from the bottom up. From their experiences of marginalisation arise a distinct group youth interest in sweeping social change and a command of informal civic spaces and tools through which youth activists can re-imagine truth and justice and provide accessible ways of broader societal engagement with the concrete issues at the heart of transitional justice.

The theory of youth marginalisation leading to youth-led, alternative truth-telling and justice-seeking methods is built on the sequenced exploration of youth agency in the context of the many contests related to a society’s pursuit of transitional justice, not one limited to the legal spheres or the political realm.²⁸² In light of the predilection towards painting “youth” with a broad brush, both in commentary on post-revolutionary Tunisia and further afield, the study approached a series of intricate questions of what it means to be “young” in Tunisian society, how young Tunisian activists have envisioned “justice” in the post-revolutionary environment, and how these

²⁸¹ Masri, p.75.

²⁸² See chapters one and two.

youth activists have mobilised in unique ways in pursuit of their vision of transition and justice. The study has illustrated a more complex picture of what it means to be “young” in society and that conventional age-associated definitions of “youth” are misguided.²⁸³ Interviews indicate that “youth” is constructed by social, political, and economic factors and experiences, with young Tunisian activists expressing a group identity built on feelings of “deception”, a longing for “freedom”, and an intimate connection to (the) “revolution”.²⁸⁴ The goal of “change” arose as an unmistakably prominent theme in response to questions on the “justice” sought and to the ways in which young activists look to “alternative” methods to pursue their visions of change, transition, and justice.²⁸⁵ As the formal transitional justice struggled to surpass the political limitations involve with a top-down process, young activists have been integral to the more grassroots-level pursuit of transitional justice from the bottom up. In this regard, the thesis serves to emphasise the range of forces involved in society’s project of coming to terms with the past, shedding light on the youth-led command of the streets as an important socio-political arena and on art as a useful tool in the fiercely fought contest over “transition” and “justice”. With regard to the streets, the analysis has provided detailed analysis of youthful street-led campaigns, such as Manich Msamah and Fech Nestanneu, which have been powerful forces in the calls for truth, accountability, and justice.²⁸⁶ Graffiti, meanwhile, has been shown to provide particularly durable messages that shape society’s imagination of and expectation for justice as youth-led rejections of forgiveness have been so markedly etched onto the walls of Tunis.²⁸⁷ In the streets and more broadly, youth-created art space has also proven itself a key arena in the social contest over the truths of lived experiences

²⁸³ See chapter two.

²⁸⁴ Ibid.

²⁸⁵ Ibid.

²⁸⁶ See chapter three.

²⁸⁷ Ibid.

and the justice that is needed for a meaningful transition.²⁸⁸ Youthful creativity is exhibited in street paintings under bridges, in rap music online, as well as in the artistic and creative expression of victims' testimonies and experiences of authoritarian rule, as demonstrated by the Voices of Memory project.²⁸⁹ For truth-telling, memory preservation, and justice-seeking, these artistic initiatives have been robust yet adaptable – attributes that have been lacking in the formal transitional justice processes.²⁹⁰ Due to the associations of transitional justice with top-down measures, these distinctly youthful initiatives were often explored in relation to more inclusive concepts within the field, demonstrating the critical role of these youth-led alternatives in communicating messages of “resentment” and feelings of “ethical loneliness”, as well as promoting a new “moral imagination”.²⁹¹ It is in light of the transitional justice field’s top-down tendencies that these sequenced assertions on the uniquely important position of youth actors leading informal approaches are purposefully presented as contributions to the transitional justice field in the confidence that new theories and practices will gain momentum.

The *transitional justice* field has, of course, not produced sufficient interest in youth to support or contradict this thesis; yet, the *peacebuilding* field offers some cases to bolster this argument of youth’s importance in transitional justice from the bottom up, despite the prevailing problematic interest in youth as troublemakers and soldiers. In Bosnia, Northern Ireland and Israel, for example, youth activists have also made clear a shared interest in the “push for *change*”; they have felt marginalised from the political discussions of peace processes; and they are often found “at the center of debates within a society or community in conflict.”²⁹² In interface projects in

²⁸⁸ See chapter four.

²⁸⁹ Ibid.

²⁹⁰ Ibid.

²⁹¹ Brudholm, p.4; Stauffer pp.31-32; Lederach, *The Moral Imagination: The Art and Soul of Building Peace*, p.5.

²⁹² Emphasis added on “change”. Jeff Helsing, Namik Kirlic, Neil McMaster, and Nir Sonnenschein, “Young People’s Activism and the Transition to Peace: Bosnia, Northern Ireland, and Israel” in *Troublemakers or*

Belfast, Northern Ireland; the Youth Against Crime project in Soweto, South Africa; and the research of the Kosovar Youth Council in Kosovo, young people are regularly and prominently found at the grassroots level of peacebuilding and community relations work.²⁹³ The distinctly *youthful* and *alternative* ways in which young people have mobilised from the bottom up are nonetheless rarely detailed and thoroughly captured outside of post-war contexts, such as Northern Ireland and the Balkans, or articles making general assumptions on youthfulness. This thesis significantly develops and widens the scope of the argument developed from the case of Northern Ireland that, due to the factors of structural exclusion and insecurity, young people have a “peacebuilding potential [that] emerges in their critical questioning of the status quo” by detailing the *many* alternative methods of truth-telling and justice-seeking that are so critical to the objectives of transitional justice, not only community-level mediation.²⁹⁴ Examining these alternative methods in some breadth, this study can also be seen in more concrete support of Johan Galtung’s hesitant supposition of a relationship between youth’s desire for change and what he calls “creativity II” – the more advanced ability to generate new questions, instead of finding new answers to old questions.²⁹⁵ The Solomon Islands had previously been promoted as one of the few examples of youth engagement with transitional justice outside of the narrow victim/perpetrator binary and their role as “passive subjects”, but nonetheless looked at the role of youth within the TRC, thereby maintaining the transitional justice field’s preoccupation with official methods.²⁹⁶

Peacemakers? Youth and Post-Accord Peacebuilding (Notre Dame, IN: University of Notre Dame Press, 2006): p. 196 and p.197.

²⁹³ Siobhan McEvoy, “Youth as Social and Political Agents: Issues in Post-Settlement Peace Building,” *Kroc Institute Occasional Paper*, 21, no2 (2001): pp.24-26.

²⁹⁴ Siobhan McEvoy-Levy, “Politics, Protest, and Local “Power Sharing” in North Belfast,” in *Troublemakers or Peacemakers? Youth and Post-Accord Peacebuilding* (Notre Dame, IN: University of Notre Dame Press, 2006): p.141.

²⁹⁵ Johan Galtung, “Theoretical Challenges of Peace Building with and for Youth: A Short Story from Post-Accord Europe,” in *Troublemakers or Peacemakers? Youth and Post-Accord Peacebuilding* (Notre Dame, IN: University of Notre Dame Press, 2006): p.263.

²⁹⁶ Mollica, p.372.

Accordingly, this thesis offers a unique contribution in its delineation of the multifaceted nature of youth agency – from grassroots street movements, to the use of art, to indications of “creativity II” – within the framework of transitional justice and for the theory of transitional justice from the bottom up.²⁹⁷

Youth and Transitional Justice: Limitations and Further Questions

Particularly in the hope that this thesis might spark greater attention towards the active roles of youth in transitional justice going forward, it is important to note a number of limitations and further questions associated with the conclusions drawn. Firstly, this thesis has emphasised its focus on youth “activists” and thus cannot be seen in reflection of the agency of all young people or “youth”. In light of the unscholarly conclusions that might be drawn from generalising commentary on “youth”, it is critical to highlight the intersections of identity and experience, such as along the lines of youth and activism, youth and regional identity, or youth and gender, and so on. Despite the attempt of the thesis to integrate these intersections, there is a limit to the scope of the field research and the final paper to reflect such intersections. This provides important areas for further study. The indications of compound marginalisation along the lines of youth, gender, region, and class, to name but a few, would shed much greater light on the roles of marginalised communities in catalysing the societal pursuit of transitional justice from the bottom up.

More broadly, the thesis draws from a limited number of qualitative interviews, time period, and exploration of field locations. Longer research projects might further explore youth activists’ initiatives in more rural settings, across the different generations of youth, and other forms of distinctly youthful activism that might be seen in workplaces, on campuses, after sporting

²⁹⁷ Galtung, p.263.

events, around festivals, in new media, and further afield.²⁹⁸ Furthermore, it is important to recognise that this study has analysed only an early phase of the transitional justice process in Tunisia.²⁹⁹ Throughout the post-revolutionary period, truths were still in the process of development; the societal interest in the idea of transitional justice was fiercely contested; and “justice” and reforms appeared as distant goals, even as this research was conducted at the close of the TDC’s work in 2019.³⁰⁰ As a result of the context, the conclusions drawn focus on the role of youth activism during a specific phase of transitional justice, focussing on early aspects of a wider process, namely, truth-telling, story-telling and memory preservation; demands for accountability; and the imagination of justice. While transitional justice mechanisms are of a special nature and temporary, the Tunisian case demonstrates that the process of coming to terms with the past and establishing a new era will be a long-term project.³⁰¹ Over this time period there is an intriguing area for further exploration regarding the sense of youth identity in relation to the socio-political context. Whether “youth identity”, built on a longing for change, remains fixed to the rate of social change can only be discovered by longer and broader field studies.³⁰² Regardless of that broader sense of youth identity, younger generations will continue to emerge and set new benchmarks of what is considered youthful, innovative, and creative, and, critically, where new processes of transitional justice from the *bottom* up will start.

²⁹⁸ For example, this study has not paid significant attention to young activists’ use of social media as the relationship has become somewhat clichéd in scholarly and popular thought. More nuanced, detailed, and closely engaged studies, using digital ethnography methods for example, could nonetheless provide greater insight into young activists’ command of social media to generate popular interaction with transitional justice and the overlap between digital activism and other forms.

²⁹⁹ See the Transitional Justice Law for the full process envisioned, from truth development to “institutional reforms” and “reconciliation”. Republic of Tunisia, “Organic Law on Establishing and Organizing Transitional Justice”.

³⁰⁰ Blaise.

³⁰¹ Teitel, *Transitional Justice*, p.213.

³⁰² See chapter two.

Lessons on “Youth” and “Transitional Justice”

The assertions of this thesis indicate that significant attention is required in order to remedy problematically-framed discussions on these issues. The following points of emphasis are relevant to scholars, practitioners, and policymakers engaged on issues of youth and transitional justice, respectively, and to those that might be moved to look at the nexus of the two more closely, and serve to underscore critical areas for the re-evaluation of current approaches.

The Tunisian case has demonstrated the complexities of what it means to be young and that international age-set definitions are baseless.³⁰³ In light of the prevalence of a sense of youth marginalisation, stigmatisation, and victimisation, it is of urgent importance that studies explore and emphasise well-informed findings related to the meaning of youth.³⁰⁴ Definitions might be re-framed; they might be abandoned; but what is more important is that lived experiences of youth are understood and promoted. The Independent Progress Study on Youth, Peace and Security offers an important foundation and recommendations on ways forward to engage young people in decision-making on issues of peace and security; however, as delineated throughout this thesis, the keen interest in youth and war itself emanates from stereotypical associations of youth with violence and as a societal burden.³⁰⁵ The human rights field, in general, is designed to combat inequalities and discrimination but has neglected the promotion of “youth” as its own category. There is a Convention on the Elimination of all Forms of Discrimination Against Women, a Convention on the Elimination of All Forms of Racial Discrimination, a Convention on the Rights of Persons with Disabilities, and other treaties that aim to eliminate injustice; however,

³⁰³ See chapter two.

³⁰⁴ Ibid.

³⁰⁵ Simpson, p. ii.

discrimination against youth is barely recognised in society, let alone in international law.³⁰⁶ In short, the human rights field is failing to engage with what it means to be young, the experiences of young people in society, and the ways in which young people's feelings of harm can be remedied.

This case study has further shown that conventional methods of transitional justice, led by the TDC, have been widely seen as a failure in Tunisia.³⁰⁷ In the words of one respondent, “[T]ransitional justice is a set of rules...it’s an administration, a commission, but behind all this you have humanity, humans, victims, pain... You lose transitional justice when you make a commission.”³⁰⁸ The study revealed that notions of transitional justice from the bottom up, via informal methods, had not been widely known.³⁰⁹ While these debates may feature in scholarly discussions, it is clear that practitioners have not appreciated the importance of a range of approaches to transitional justice as models and mechanisms continue to be transplanted from country to country regardless of the context. This study, for example, has indicated a wide range of civic tools and spaces of truth-telling and justice-seeking – from unofficial truth projects, to music artists, to the street as its own truth forum – that can be learned from in order to fuel engaging bottom-up processes.³¹⁰ Transitional justice has for too long been seen as the near exclusive work of *legal* mechanisms.³¹¹ While the Tunisian case has prompted some scholars and practitioners to

³⁰⁶ As youth and children are clearly separate social categories, the Convention on the Rights of the Child does not provide a framework for guaranteeing young people's rights. UN General Assembly, *Convention on the Elimination of All Forms of Discrimination Against Women*, United Nations, Treaty Series, vol. 1249, 18 December 1979, p. 13, available at: <https://www.refworld.org/docid/3ae6b3970.html> [accessed 1 September 2019]; UN General Assembly, *International Convention on the Elimination of All Forms of Racial Discrimination*, United Nations, Treaty Series, vol. 660, 21 December 1965, p. 195, available at: <https://www.refworld.org/docid/3ae6b3940.html> [accessed 1 September 2019]; UN General Assembly, *Convention on the Rights of Persons with Disabilities*, A/RES/61/106, 24 January 2007, available at: <https://www.refworld.org/docid/45f973632.html> [accessed 1 September 2019].

³⁰⁷ See chapter two.

³⁰⁸ Boujneh, interview with author.

³⁰⁹ See chapter two.

³¹⁰ See chapters three and four.

³¹¹ See Teitel, *Transitional Justice*, p.223; Gready and Robins, p.956.

emphasise the *political* contest at its core, this examination of the Tunisian experience encourages a much wider shift of the task of transitional justice.³¹² Ultimately, to come to terms with the past and set forward a new era of human rights is not just a legal task and a political contest, but also a *social* project that involves far-reaching efforts to move society to transition towards justice. Youth and other marginalised actors should be recognised and engaged as important resources in this colossal task if discussions on *transition* and *justice* are to have meaning.

Youth and a New Transitional Justice? A Concluding Note

Though the field was only conceptualised in the late 1970s and early 1980s, the case of Tunisia illustrates that transitional justice formulae appear rigid and outdated. “[T]he concept of transitional justice is very old”, said Emna Sammari, describing her disappointment with the construction of the Tunisian process and the need for researchers to innovate the conceptual foundations of the field.³¹³ With a predilection towards new, innovative approaches to transitional justice, youth activists offer critical insights into the ways in which the field might evolve in order to more effectively facilitate justice in transitional contexts. In command of alternative spaces, such as the streets, and creative new tools, young Tunisian activists demonstrate that the transitional justice field must, itself, keep up with ever-evolving actions in pursuit of justice and transition from the ground.³¹⁴ Tunisian youth activists indicate that new generations, both domestically and abroad, will continue to bring such important innovations to the field, whether they are recognised or not. For the Tunisian context, Youssef Cherif, underscored that “a new youth movement” is coming to the fore.³¹⁵ They are “self-confident and don’t have any respect for older people, for older politicians, or any fear of older politicians from the establishment...

³¹² Andrieu, 292.

³¹³ Sammari, interview with author.

³¹⁴ See chapters three and four.

³¹⁵ Cherif, interview with author.

[M]aybe we will witness another revolution with these emerging youth in Tunisia”, he speculated.³¹⁶ Heythem Guesmi noted that the arrival of these younger activists was a sign of “slow hope”.³¹⁷ “For me, in this dark situation, I’m so proud to be in this generation”, he said, expressing support for his younger peers coming onto the scene.³¹⁸ There is a clear confidence amongst young activists that coming generations will also bring new approaches to the questions of transition and justice. Offering advice from the Tunisian experience to youth activists elsewhere, Hiba Ben Haj Khalifa emphasised, “if you have [an] alternative to the process, just do it”.³¹⁹ With a natural sense of connection between “youth” and “alternatives”, young activists have no doubt that their counterparts in other countries will have new and innovative innovations to bring to their societies and to the field of transitional justice. The onus will be on transitional justice scholars and practitioners to keep up.

³¹⁶ Ibid.

³¹⁷ Guesmi, interview with author.

³¹⁸ Ibid.

³¹⁹ Ben Haj Khalifa, interview with author.

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